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A
COLLECTION
OF THE
PARLIAMENTARY
DEBATES
IN
ENGLAND,

FROM
The YEAR M,DC,LXVIII

To the present TIME.

VOL. XVI.

Printed in the Year, M,DCC,XLI.

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OF THE

PARLIAMENTARY

DEBATES

Bayerische
Staatsbibliothek
München

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Parlia-

Parliamentary DEBATES.

MR. *Perry* having agreed to amend his motion, it was then ordered, that the petitioners should be heard by themselves or counsel.

Several other petitions against the *Spanish* depredations were at the same time presented to the house, and referred to the same committee, with the like instruction. After which *William Pulteney*, Esq; stood up, and spoke in substance as follows, viz.

‘ Mr. Speaker,

‘ Sir, We have now before us an affair, in which, though it is solicited by the merchants only of one denomination, yet there is not a merchant in *Great Britain* who in some degree or other may not be said to be concerned. It is not, Sir, as has been suggested, an impotent clamour of a few smugglers, whose effects have been justly sequestered for carrying on an illicit trade; but an humble and a just remonstrance of a very considerable body of the best friends both to the interest and constitution of their country. It would wrong the honour and justice of this house, Sir, to suspect, that if the petitioners prove the allegations contained in their several petitions, they shall not receive all the relief that it is in our power to give. But, Sir, there are other places where an effectual redress

Call moved for,

Mr. Pulteney's speech.

‘ redress for their injuries must be solicited. I
‘ shall not, Sir, go about to accuse any one be-
‘ fore I am certain that the allegations exhibited
‘ in the petitions are true; but one petition that
‘ has been now read, makes a very extraordinary
‘ impression upon me. The petitioners, Sir,
‘ pretend that the King of *Spain*’s officers in *A-*
‘ *merica* have dared to disobey the most positive
‘ orders obtain’d from their master at his *Britannick*
‘ Majesty’s instances. Can any gentleman, Sir,
‘ imagine, that the *Spanish* officers durst have
‘ acted in this manner without the connivance of
‘ their court, or that their court would have pre-
‘ sumed to trifle in such a manner with any mi-
‘ nistry but one which they thought wanted either
‘ courage or inclination to resent such treatment?
‘ As I said before, Sir, I shall not take upon me
‘ to give my judgment of the affair till I have
‘ heard the allegations in this petition made out.
‘ If they cannot be made out, Sir, I think the
‘ petitioners deserve the censure of this house for
‘ so gross an imposition. But if they are proved,
‘ Sir, which I think we have too good reason to
‘ expect, I cannot help saying, that I think our
‘ ministry have been guilty of a scandalous breach
‘ of duty, and the most infamous pusillanimity.
‘ In the mean time, Sir, as the affair itself has
‘ on all sides been confessed of the greatest im-
‘ portance, and it is highly requisite that every
‘ gentleman, who has the honour to sit in this
‘ house, should be present while it is in agitation,
‘ I think, Sir, we ought to subject every one,
‘ who is absent without indispensable necessity,
‘ to the severest censure we can inflict; therefore
‘ I humbly move, That the house be called over
‘ upon *Wednesday* sevensnight.’

Henry

Henry Pelham, Esq; spoke next to the following effect :

‘ Sir, I do not rise up to oppose, but to second Mr. Pelham's
speech.
 ‘ the honourable gentleman's motion; and, Sir,
 ‘ as he has been pleased to give us his thoughts
 ‘ upon this affair as it now appears to him, I
 ‘ hope I may be indulg'd in the same liberty.
 ‘ It is a liberty, Sir, which I should not have
 ‘ asked, were I not apprehensive, that if some-
 ‘ thing is not said with regard to what fell from
 ‘ the honourable gentleman, it might too much
 ‘ anticipate the judgment which gentlemen may
 ‘ form upon the present affair. I have, Sir, heard
 ‘ of the case which the honourable gentleman has
 ‘ hinted at, and I do not doubt of the truth of
 ‘ the allegations contained in the petition. But,
 ‘ Sir, supposing them true, how do they affect
 ‘ the characters of those concerned in the ministry?
 ‘ Must his Catholick, or his *Britannick* Majesty's
 ‘ ministers be answerable for the conduct of their
 ‘ governors in *America*, and for every wrong con-
 ‘ struction which these governors may make of
 ‘ the orders they receive from their principals?
 ‘ It appears upon the face of one of the petitions,
 ‘ that our ministry were as active as men could
 ‘ be in demanding satisfaction for the petitioners,
 ‘ If their instances had not the desired effect, the
 ‘ blame cannot be laid at their door; for upon
 ‘ the delaying of justice one of these two ways
 ‘ must have been taken: They must either have
 ‘ acted as they have done, or declar'd hostilities
 ‘ must have commenc'd betwixt the two crowns.
 ‘ Now, Sir, I believe, the gentlemen who talk
 ‘ so much of entering on this affair with vigour,
 ‘ would have been cautious, had they been mi-
 ‘ nisters, of engaging in a war upon the transac-
 ‘ tion of a single governor or officer contrary to
 ‘ the

the will and intention of his sovereign. If upon the representations that were made by his Majesty's ministers at the court of *Spain*, the *Spanish* ministers had answered that the capture was just, and that they were resolved to seize all other *British* ships trading in the same manner: This, Sir, being look'd upon as the sense of their court, might have afforded very good grounds for a rupture. But it appears, Sir, from the petition, that the thing was quite otherwise, and that the ministry were only blameable for not attacking his Catholick Majesty, because his officers either did not understand, or would not obey his orders. I agree with the honourable gentleman, as to the necessity of our making a strict enquiry into this affair; and I think the motion he has made is highly reasonable. But, Sir, I believe that enquiry will produce a different effect from what is expected by the honourable gentleman. I have reason, Sir, to be confident, that it is the interest of the ministry we should examine the allegations contained in these petitions; for I am persuaded, that thereby they must be cleared from every imputation of acting either a cowardly or a negligent part; and let the blame fall where it will, I dare say it cannot justly fall upon them.'

As this motion was not opposed, it was ordered accordingly.

The same day, Mr. Alderman *Perry* stood up, and spoke to this effect:

Mr. Speaker,

Sir, As the petitions now presented to us have been so unanimously referred to a committee of the whole house, and a proper day appointed for taking them into consideration, I make no doubt of our entering seriously into an examination

Papers moved for by Alderman *Perry* with the debate on that occasion.

Ald. *Perry's* speech.

‘ examination of the grievances complained of;
‘ but, as those grievances are of a foreign nature,
‘ as they are grievances which have been long
‘ complained of, and as they are grievances which
‘ our government, we know, have endeavoured
‘ to get redressed, and have applied to the proper
‘ court for that purpose, I must be of opinion,
‘ that we cannot examine so thoroughly as we
‘ ought to do, into this affair, without having
‘ before us the whole thread of that long negoti-
‘ ation which has been carried on with the court
‘ of *Spain*, for obtaining redress in an amicable
‘ and peaceable manner.

‘ The abuses complained of by the petitions
‘ now before us are, I must say, Sir, of a most
‘ extraordinary nature: They are such as the most
‘ pitiful Prince in the world would not suffer
‘ from the most powerful, without taking the
‘ first opportunity for shewing his resentment.
‘ By these petitions we are told, that the *Spani-*
‘ *ards* have not only seized our ships, with their
‘ effects, in a most arbitrary manner, but that
‘ they have inhumanly treated our seamen. Nay,
‘ we are told, that with respect to one ship in
‘ particular, though the court of *Spain* itself has
‘ acknowledged her being wrongfully and injuri-
‘ ously seized, yet they have hitherto refused or
‘ delayed making any proper reparation, notwith-
‘ standing its being now almost ten years since
‘ the ship was seized, and near eight years since
‘ the court of *Spain* itself acknowledged the in-
‘ justice of the seizure.

‘ But why should I talk, Sir, of what has been
‘ done eight or ten years ago, or but lately?
‘ These insults and abuses have been continued,
‘ I may say without interruption, ever since his
‘ late Majesty’s accession to the crown, which is
‘ near twenty-four years since. This is not the
‘ first time that our merchants have been obliged

to sue to this house for redress in this affair. In the year 1728 we may remember that application was made to this house against the many unjust seizures and depredations, that had, for several years preceding, been committed by the *Spaniards* in *America* upon his Majesty's subjects, whilst they were carrying on their fair and lawful trade in those parts; and upon that application, this house came then to a resolution, That from the peace of *Utrecht* in 1713 to that time, the *British* trade and navigation to and from the several *British* colonies in *America*, had been greatly interrupted by the continual depredations of the *Spaniards*, who had seized very valuable effects, and unjustly taken and made prize of great numbers of *British* ships and vessels, in those parts, to the great loss and damage of the subjects of this kingdom, and in manifest violation of the treaties subsisting between the two crowns: Upon which resolution an address was presented to his Majesty, beseeching him to use his endeavours for obtaining satisfaction and security for our merchants. But what was the consequence? The *Spaniards* not only refused satisfaction, but continued their depredations; and therefore a new application was made to this house, and a new address presented to his Majesty by this house, in the year 1730, which must now appear to have had as little effect as the former, if the facts charged in the petitions now before us be, upon examination, found to be true.

After having thus stated the case in its proper and true light, I must take notice, Sir, that when we go into a committee upon this affair, the first thing we enquire into, is, to know, whether the facts, as represented in the petitions, are true; for which purpose we must examine the petitioners, and such witnesses, or other

other vouchers, as they shall please to bring or lay before us. This we must certainly do; but when we have done this, we shall have heard only one side of the question; for, surely the *Spaniards* have some pretence for what they have done, or something to say in their own vindication. As there is no war, nor has been for several years, between the two nations, they would not certainly have seized any one ship belonging to *British* subjects, without some pretence for so doing; and from the wisdom, the penetration, and the courage of our present ministers, I must conclude, that those pretences were such as carried some shew or colour of reason; because if it had been otherwise, I am convinced, our ministers would have advised declaring war against them long before this time. These pretences therefore we must examine into, before we can come to any proper or just resolutions with respect to this affair; and these pretences we cannot examine into, without having before us all the letters, memorials, and other papers, that have passed between the two courts upon this subject.

If the facts set forth in the petitions be found to be true, and exactly as represented; and if the pretences made use of by the *Spaniards* for treating our merchants and seamen in such a thievish and barbarous manner, be found to be frivolous and groundless, the next thing we are to enquire into, is, how it comes that no satisfaction has as yet been obtained, and what prospect we now have of obtaining satisfaction? For in such cases, there are but three ways of obtaining satisfaction, which are, either by negotiation, by declaring war, or by a middle way between these two, I mean that of granting letters of marque or reprisal to such of our subjects as have been injured. The first we have certain-

ly tried; and if that should be now in such forwardness as that a proper satisfaction may, in all probability, be soon expected, I should be against this house's coming to any resolution at present, lest it might disturb or interrupt the course of that negotiation; but this we cannot enquire into, without having before us those letters, memorials, and other papers, that have lately, or indeed those that have last passed, between the two courts upon this subject. In this case, I say, Sir, I should be against our coming to any present resolution; but if it should appear, that we have now no hopes of obtaining satisfaction or security in a peaceable manner, I must think it would be very proper for us to enquire into what prospect we ever had of obtaining redress by way of negotiation; for considering that our negotiations for this purpose have continued, or at least ought to have continued, for above these twenty years, I cannot but be of opinion, that we have been bamboozled with fair promises; and in that case I do not know but it may be thought proper to enquire into the nature of those promises, in order to know whether they were such as a prudent man ought to have depended on; because if they were of such a nature, or so often broken, as that no prudent man would have depended on them, I am sure it ought to stir up the resentment of this nation against some other persons, as well as against the *Spaniards*. This likewise is a piece of knowledge which we cannot come at, without having before us all those letters, memorials, and other papers, that have passed between the two courts, relating to the depredations, insults, and cruelties now complained of.

I think I have now shewn, Sir, that we cannot seriously and thoroughly examine into the
grievances

‘ grievances complained of in the petitions now
‘ before us, or come to any proper resolutions for
‘ obtaining redress, without having before us the
‘ whole thread of the negotiation between *Spain*
‘ and us, relating to the depredations committed
‘ by the subjects of *Spain* upon those of *Great*
‘ *Britain*; but before I make any motion for this
‘ purpose, I must beg leave to observe, that this
‘ very affair has occasioned many complaints a-
‘ mong our people, not only against the *Spani-*
‘ *ards*, but against our present administration.
‘ Those merchants and seamen who have been
‘ plundered and abused, and have been at so
‘ much trouble, and so great an expence of time
‘ and money, in applying for redress both at the
‘ court of *Great Britain*, and, by encouragement
‘ and recommendation from thence, at the court
‘ of *Spain*, are apt to think, that both the honour
‘ and interest of their country lie neglected and
‘ forgot. Nay, this opinion prevails too much,
‘ not only among those who are the sufferers,
‘ but also among their friends and acquaintance,
‘ and I am afraid, among all those who have
‘ heard or read of these often repeated depreda-
‘ tions. This opinion not only renders our peo-
‘ ple discontented with our administration, but,
‘ what is of much worse consequence, it may
‘ render our people disaffected towards his Ma-
‘ jesty and his illustrious Family; and it must be
‘ confessed, that gentlemen who are no way ac-
‘ quainted with the secrets of our publick trans-
‘ actions for several years past, do not well know
‘ what to say to those who thus complain, or
‘ how to make an excuse for the many losses,
‘ disappointments and delays, our merchants have
‘ met with.

‘ This inability which most gentlemen in the
‘ kingdom are under, must be a real grief to all
‘ those who have a true regard for his Majesty,
‘ or

‘ or for the Royal Family. With *Phaeton* we
 ‘ may say,

———*Pudet hæc opprobria nobis*

Et dici potuisse, & non potuisse refelli.

‘ This, Sir, of itself is, in my opinion, a sufficient
 ‘ argument for gentlemens being desirous to exa-
 ‘ mine into the late negotiations, that have pass-
 ‘ ed between *Spain* and us. I hope every gentle-
 ‘ man will from thence see, that every thing has
 ‘ been done for obtaining satisfaction for past in-
 ‘ juries, and security against future, that could be
 ‘ done by a wise King and a disinterested admi-
 ‘ nistration. From thence every gentleman will
 ‘ be able to give a satisfactory answer to all those
 ‘ who think they have reason to complain; by
 ‘ which means, disaffection will be prevented,
 ‘ and those discontents, which I am afraid fall
 ‘ heavily at present upon our own administration,
 ‘ will then, I hope, be all converted into a just
 ‘ resentment against the shufflings, and repeated
 ‘ breaches of faith, which the *Spaniards* have been
 ‘ guilty of. This, I say, Sir, will, I hope, be
 ‘ the consequence of having these papers laid be-
 ‘ fore us; but whatever may be the consequence
 ‘ with respect to those who have been entrusted
 ‘ with our administration, I am sure every gen-
 ‘ tleman will see, and from thence will be able
 ‘ to convince others, that his Majesty has all a-
 ‘ long acted the most prudent part, according to
 ‘ the information he has had from time to time;
 ‘ which will of course remove every ground of
 ‘ disaffection; and this is what, I am sure, the
 ‘ majority of this house have chiefly, if not sole-
 ‘ ly, at heart; for the majority of this house will,
 ‘ I hope, always have a much greater concern for
 ‘ vindicating the honour of their sovereign, than
 ‘ for screening or concealing the faults of any of
 ‘ his ministers, either abroad or at home.

‘ In

‘ In full confidence of this, Sir, I presume the
 ‘ motion I am to make will be unanimously a-
 ‘ greed to, and therefore I shall add no more but
 ‘ move, That an humble address be presented to
 ‘ his Majesty, that he would be graciously pleased
 ‘ to give directions for laying before the house,
 ‘ copies or extracts of the several petitions, re-
 ‘ presentations, memorials, and all other papers,
 ‘ relating to the *Spanish* depredations upon the
 ‘ *British* subjects, which had been presented to
 ‘ his Majesty, or delivered to either of his Ma-
 ‘ jesty’s principal secretaries of state, since *Mid-*
 ‘ *summer* last; together with copies or extracts of
 ‘ such memorials or representations, as had been
 ‘ made, either to the King of *Spain*, or his mi-
 ‘ nisters, and the answers returned by them to
 ‘ the same; and together with copies or extracts
 ‘ of the letters written to his Majesty’s minister
 ‘ at *Madrid*, with the answers received from him;
 ‘ relating to the said depredations.’

This question was seconded by Sir *John Barnard*; and after him Sir *Robert Walpole* spoke in substance thus:

‘ Mr. Speaker,

‘ Sir, I do not stand up to oppose the honour-
 ‘ able gentleman’s motion, because there are ma-
 ‘ ny papers have passed between the courts of
 ‘ *Great Britain* and *Spain*, relating to the subject
 ‘ of complaint now before you, which it may be
 ‘ proper for the committee to see; but there are
 ‘ certainly some which you ought not as yet to
 ‘ call for; and therefore I must think the motion
 ‘ rather too general and extensive; for though
 ‘ we have a full and unlimited power of address-
 ‘ sing for whatever we may think proper, yet we
 ‘ ought never to desire any thing but what the
 ‘ crown may probably be able to comply with,
 ‘ without

Sir Robert
Walpole’s
speech.

‘ without doing an injury to the publick affairs
‘ of the nation.

‘ I am sure it cannot be supposed, Sir, that I
‘ have any objection, on my own particular ac-
‘ count, against calling for any letters, memori-
‘ als, or other papers, that have been contrived
‘ and drawn up by the court of *Spain*: I am no
‘ minister at that court, nor can it be said that I
‘ have the least influence on any of their councils;
‘ and therefore I cannot be made to answer for
‘ any step they may have been pleased to take,
‘ relating to the affair now before us. If I had
‘ had the least influence on any of their councils,
‘ I am sure I would have advised them, even for
‘ their own sakes, to have observed a very diffe-
‘ rent sort of conduct with respect to this nation.
‘ In my opinion, if the *Spaniards* were governed
‘ by prudent councils, if their publick affairs
‘ were under the management of those who had
‘ nothing else in view but the true interest of that
‘ kingdom, they would find it as much their in-
‘ terest to avoid picking quarrels with us, as it is
‘ our interest to avoid picking any quarrel with
‘ them. They would have long since found, and
‘ they may probably at last find, to their cost,
‘ that their own proverb will always hold true:
‘ *Peace with England, and war with all the world*
‘ *besides.* This has long ago become a sort of
‘ proverb in the *Spanish* language, and will always
‘ be found to be a just and a prudent maxim;
‘ for it is the interest of both nations to be well
‘ with one another; but nations have often the
‘ misfortune to be governed by those, who have
‘ nothing less in view than the interest of that
‘ country they govern.

‘ For this reason, Sir, every gentleman must
‘ allow, that a war with *Spain* ought to be avoid-
‘ ed, if possible; and as his Majesty has not as
‘ yet told us, that he has given over all hopes of
‘ obtaining

‘ obtaining redrefs by negotiation, we ought to
‘ take no step, nor call for any paper, that may
‘ render ineffectual, or perhaps put an entire stop
‘ to all future negotiation. We cannot suppose
‘ that any step taken by this house, or any paper
‘ laid before us, can be kept a secret, because
‘ there are generally great numbers of persons
‘ present, besides those who have a right to be
‘ here. This, I say, can never be supposed, and
‘ therefore it has always been observed as a rule
‘ in our proceedings, never to call for any paper
‘ relating to an affair then in agitation. The last
‘ memorial or answer from *Spain* is a paper of
‘ this nature: It arrived but on *Saturday* last;
‘ and, I believe, I may venture to acquaint the
‘ house, that it is far from being satisfactory; but
‘ if kept private, and no violent measures taken
‘ in the mean time, it may be explained so as to
‘ render it satisfactory, by which means an open
‘ rupture will be prevented: Whereas, if it should
‘ be laid before this house, it may inflame the
‘ nation, or even this house, so much, as to hur-
‘ ry us into some violent measures; and even
‘ suppose we should be able to govern our re-
‘ sentment, yet the rendering it publick, which
‘ would certainly be the consequence of laying it
‘ before us, might make the court of *Spain* think
‘ their honour concerned in adhering perempto-
‘ rily to the terms of this answer, without giving
‘ such explanations as they might otherwise in
‘ prudence be induced to give.

‘ I shall most readily agree, Sir, that our mer-
‘ chants and seamen have been often treated most
‘ unjustly and most inhumanly by the *Spanish*
‘ *Guarda Costa's*, and that both the honour and
‘ interest of the nation are deeply concerned in
‘ obtaining reparation for past injuries, and a
‘ proper security against being exposed to any
‘ such in time to come; but we certainly ought
‘ not

‘ not to have recourse to arms as long as there is
‘ any prospect of obtaining redress in a peaceable
‘ manner. It is without doubt a very popular
‘ way of arguing to talk highly of the honour,
‘ the courage, and the superior power of this na-
‘ tion; and, I believe, I have as good an opinion
‘ of the honour, courage, and power of this na-
‘ tion as any man can, or ought to have; but
‘ other nations must be supposed to have honour
‘ as well as we, and all nations generally have a
‘ great opinion of their courage and power. If
‘ we should come to an open rupture with *Spain*,
‘ we might in all probability have the advantage;
‘ but victory and success do not always attend
‘ upon that side which seems to be the most pow-
‘ erful, therefore an open rupture, or declared
‘ war, between two potent nations, must always
‘ be allowed to be an affair of the utmost impor-
‘ tance to both; and as this may be the conse-
‘ quence of our present deliberations, we ought
‘ to proceed with great coolness and with the ut-
‘ most caution.

‘ Prudence and pusillanimity, Sir, are two
‘ words which are easily understood in private
‘ life, but in publick life, and in national affairs,
‘ it is not so easy to form proper ideas for these
‘ two words, and to determine the exact bounda-
‘ ries between them. If a private man should
‘ think his honour injured, he may, he ought to
‘ resent it immediately; because, as he has no-
‘ thing but his own life to lose, his own opinion
‘ is a good and a sufficient reason for putting it to
‘ the venture; but in national quarrels the lives
‘ of many thousands are concerned; and those
‘ who are to deliberate and determine in what
‘ manner, or how soon, an injury ought to be
‘ resented, are generally those whose lives, in
‘ case of a rupture, will be the last of being
‘ brought into danger. For this reason, they
‘ ought

‘ ought not to depend so much upon their own
‘ opinion, nor ought they to insist upon such
‘ punctilio’s as may be insisted on in private life.
‘ They ought to consider the circumstances of
‘ both nations, and they ought to weigh tho-
‘ roughly the probable consequences; for it may
‘ sometimes be the interest of a nation to pocket
‘ an affront, or at least to defer their resentment,
‘ till they find a more proper opportunity for
‘ taking vengeance. This is what we cannot be
‘ competent judges of, even though we had all
‘ the papers now moved for before us; because
‘ from them we could not guess how we stand
‘ with respect to the other powers of *Europe*.
‘ We could not from thence know, but that our
‘ coming to an immediate rupture with *Spain*
‘ might unite several powers against us; and, in
‘ that case, surely, it would be madness in us to
‘ call for any paper, or to make any step, which
‘ might hasten that rupture.

‘ From this consideration it must appear, Sir,
‘ that even with respect to a nation, whose friend-
‘ ship we have no reason to be fond of, it may
‘ not at all times be proper to shew an immediate
‘ resentment; but with respect to a nation whose
‘ friendship we have reason to be fond of, and
‘ not only a nation we ought to endeavour to be
‘ well with, but likewise a nation whose real in-
‘ terest it is to cultivate a friendship with us, we
‘ certainly ought not to be quick in shewing our
‘ resentment, upon every misunderstanding that
‘ may happen between us. If such a nation
‘ should be hurried into wrong measures with re-
‘ spect to us, either by the particular circumstan-
‘ ces they happen to be in, or perhaps, by weak
‘ or treacherous councils, there may be many
‘ reasons for our delaying to shew a proper re-
‘ sentment; because, the circumstances they are
‘ in may alter, or they may come to be governed
‘ by

‘ by more prudent or more upright councils, in
‘ which case they will court a reconciliation, and
‘ for that purpose will be glad to make us all the
‘ reparation they have in their power. This will
‘ certainly be the case with *Spain*, as soon as they
‘ begin to consider seriously, and to pursue sole-
‘ ly, that which is the true interest of the *Spanish*
‘ nation in general. The present misunderstand-
‘ ings between us, would then be easily and
‘ speedily removed; whereas if we should hurry
‘ ourselves into a war with that nation, the vio-
‘ lences, rapines, and massacres, which would
‘ be committed on both sides, might establish a
‘ sort of national enmity and hatred between the
‘ people of the two kingdoms, which both courts,
‘ if they were never so well inclined to each o-
‘ ther, might find difficult to remove for many
‘ years after.

‘ For this reason, Sir, we ought to avoid as
‘ much as possible coming to an open rupture
‘ with that nation in particular; and, therefore,
‘ I do not know any great necessity there is for
‘ our calling for any papers; for I do not think
‘ we can come to any resolution upon the present
‘ occasion, except that of addressing his Majesty
‘ to take those measures which he may, in his
‘ great wisdom, think most prudent and necessa-
‘ ry, for obtaining redress to his injured subjects.
‘ I hope no gentleman will think, that this house
‘ ought to declare war against *Spain*, or that we
‘ ought to advise his Majesty to declare war, till
‘ he applies to us for our advice upon that head.
‘ Such a proceeding would not only be an in-
‘ croachment upon one of the most certain pre-
‘ rogatives of the crown, but it would likewise
‘ be a sign of great rashness and imprudence;
‘ for no man can prudently give his advice for
‘ declaring war, without knowing the whole sys-
‘ tem of the affairs of *Europe* as they stand at
‘ present,

‘ present, and how the several potentates of *Eu-*
‘ *rope* now stand affected towards one another.
‘ It is not the power of *Spain*, and the power of
‘ this nation only, that we ought in such a case
‘ to consider and compare: We ought likewise
‘ to know what allies our enemies may have, and
‘ what assistance we may expect from our friends;
‘ neither of which we can know from the papers
‘ now moved to be called for, if they were all
‘ laid before us; therefore we must leave it en-
‘ tirely to his Majesty, to take the most prudent
‘ measures for obtaining redress; and, when his
‘ Majesty finds that no peaceable measures will
‘ prevail, he will without doubt apply to this
‘ house for advice as well as assistance; and, will
‘ then certainly give the house all the informa-
‘ tion that may be necessary for giving us a full
‘ view of our circumstances both abroad and at
‘ home.

‘ From what I have said, Sir, I hope gentle-
‘ men will be of opinion, that we can come to
‘ no resolution upon the present occasion, but
‘ that of addressing his Majesty in much the same
‘ terms this house has heretofore done upon a
‘ like occasion; and this, I am convinced, every
‘ gentleman will think we may do, without ha-
‘ ving before us any of the answers from the court
‘ of *Spain*, especially that which arrived only on
‘ *Saturday* last. There is, therefore, not the least
‘ occasion for our calling for that paper; if we
‘ do, we may have reason to repent it; but, I
‘ am sure we can never have occasion to repent
‘ our not calling for it; because, we may hereaf-
‘ ter have that, and every other paper relating to
‘ the affair now in hand, laid before us; and, if
‘ any of his Majesty’s ministers, either abroad or
‘ at home, have been to blame, or have injured
‘ the nation by their ignorance or neglect, or by
‘ any criminal step, in the course of these nego-
‘ tations,

‘ tations, it will then appear; and the person
‘ guilty may be punished according as the house
‘ shall then see just; for, no one of his Majesty’s
‘ ministers either does, or can expect to have his
‘ failings screened or concealed by a *British* house
‘ of Commons; I hope no one of them has any
‘ occasion for such screening or concealment.

‘ As for the discontents that may be in the na-
‘ tion, on account of the depredations committed
‘ by the *Spaniards*, I cannot think that any of
‘ them are directed against the administration; I
‘ am sure they cannot with any justice be so di-
‘ rected; and therefore, I am convinced, that
‘ none of them are so directed by any person who
‘ is not disaffected to his Majesty, as well as dis-
‘ contented with the administration. But I hope
‘ most of them are level’d where they ought on-
‘ ly to be level’d, I mean against the *Spaniards*
‘ who have been guilty of, or have connived at
‘ those depredations; for even from the papers
‘ we have already seen, I must be of opinion,
‘ that our ministers both abroad and at home
‘ have been at as much pains as it was possible
‘ for them to be at, and have used all proper
‘ means for convincing the court of *Spain* of their
‘ error, and for prevailing with them to make
‘ full reparation. This, I say, I am convinced
‘ of from the papers now upon our table, which
‘ in my opinion may furnish any willing mind
‘ with matter sufficient, not only for vindicating
‘ his Majesty’s government from any aspersion
‘ that may be cast upon it by the disaffected, but
‘ also for vindicating the measures pursued by
‘ the administration. With respect to his Ma-
‘ jesty’s government, though there are some with-
‘ out doors who, for the sake of spreading disaf-
‘ fection, are ready to impute the most casual
‘ misfortunes, to some fault or neglect in his go-
‘ vernment; yet I am sure there is no gentleman
‘ within

‘ within doors, who will not be ready to vindicate it upon every occasion; but with respect to the administration, I cannot say so much: I am afraid there are some within doors as well as without, who are not very willing to vindicate it upon any occasion, and who upon most occasions are even unwilling to admit of those excuses, which the administration may justly lay claim to.

‘ As I do not oppose calling for any papers, in which our administration can be supposed to have a concern, I hope, what I have said, Sir, will have the more weight. If I opposed calling for any papers that have been penned or advised by any of our ministers, it might perhaps be suspected that my opposition proceeded from some selfish end, in order to prevent an enquiry into my own conduct, or into the conduct of some of my friends; but as I oppose calling for some of those papers only, which have been penned and advised by the ministers of *Spain*, I cannot think my opposition will be liable to any such suspicion; I hope it will be thought, I have nothing but the good of my country in view. I really think, and I protest I speak it sincerely, I say, I really think it inconsistent with the interest of the nation, to call for any paper so lately arrived. It may be attended with terrible consequences, not only in the case now before us, but in many future cases, because it will be a dangerous precedent for all time to come. It may lay a foundation for this house’s demanding to look into the most secret transactions, even before they are near finished or brought to any sort of maturity; and if this should ever come to be our case, I am sure no foreign prince or state will ever enter into any secret negotiation or treaty with our government, the consequences of which I

‘ shall leave to every gentleman to form to himself a notion of; for they are beyond what I can pretend to exprefs.

‘ I am far from thinking, Sir, that a negative ought to be put upon the motion the honourable gentleman has been pleased to make; but from what I have said, I hope, even he himself will be convinced, that his motion ought to be confined, and that therefore he will agree to the amendment I am to propose; for in the affair now before us, it will be a great advantage to the nation, and therefore I wish, that we may proceed in every step with the greatest concord and unanimity. The amendment I propose is, That those words which relate to the answers from *Spain* may all be left out; and in that case the latter part of the motion will run thus: *Together with copies or extracts of such memorials or representations, as had been made, either to the King of Spain, or his ministers; and of the letters written to his Majesty's minister at Madrid, relating to the said Depredations.*’

The next speaker was *William Pulteney*, Esq; who spoke to the following effect, viz.

‘ Mr. Speaker,

Mr. Pulteney's speech.

‘ Sir, I must confess, I wonder to hear the honourable gentleman oppose calling for any papers, or any one paper, that can be supposed to have the least relation to the subject of complaint now under our consideration. If I were to advise him, and I speak it with the utmost sincerity, I would advise him, for his own sake, as well as for the sake of the nation, to advise laying the affair fully before Parliament, in order to have the advice of Parliament upon such an important occasion. We have in this kingdom several councils: We have a privy council;

‘ cil; a cabinet council; and, for what I know,
‘ a more secret and less numerous council still, by
‘ which the other two are directed: But the Par-
‘ liament is his Majesty’s great and chief council:
‘ It is the council which all ministers ought, both
‘ for their own sakes and their master’s, to advise
‘ his Majesty to consult with, upon every affair
‘ of great weight and importance; for, from all
‘ our histories we shall find, that those Kings
‘ have been the most happy and glorious, who
‘ have often consulted with their Parliaments;
‘ and that those ministers have always gone
‘ through their administration with the greatest
‘ ease and applause, and have retired from the
‘ administration with the greatest safety, who
‘ have advised their masters to depend chiefly
‘ upon the advice of their Parliaments.

‘ In our privy council, Sir, in our cabinet
‘ council, and in any more secret council, if there
‘ be any such, the honourable gentleman may be
‘ supposed to have a sway; nay, it may even be
‘ suspected that he has, under his Majesty, the
‘ chief direction of each; and therefore he may,
‘ sometime hereafter, be made to answer for their
‘ determinations; but it cannot be suspected that
‘ he has the direction of either house of Parlia-
‘ ment, nor can he be supposed to have any other
‘ sway in this house, but that which proceeds
‘ from the solidity and strength of his arguments,
‘ and from his superior art of persuasion: For
‘ which reason he can never be made to answer
‘ for any resolution of Parliament, or for any
‘ thing that is done pursuant to the advice of
‘ Parliament. In all cases therefore he ought to
‘ be fond of having the advice, or at least the
‘ approbation, of an independent and free Parlia-
‘ ment; but more particularly in a case such as
‘ the present, where the most prudent councils
‘ may not be always attended with the wished

‘ for success. In such cases, I say, more particu-
 ‘ larly, he ought in common prudence to chuse
 ‘ and desire, that our conduct should proceed
 ‘ from the advice and the resolutions of Parlia-
 ‘ ment; because, whatever may be the event, he
 ‘ cannot be made to answer for our conduct, nor
 ‘ can he be blamed even by those who judge of
 ‘ things only by the event, which is the case of
 ‘ the greatest part of mankind, in this as well as
 ‘ every other country.

‘ I am very sensible, Sir, the honourable gen-
 ‘ tleman is no minister in *Spain*; I believe he has
 ‘ but very little, if any, direct influence upon
 ‘ that court; and I am sorry it is so, because if
 ‘ he had any power over their councils, I find he
 ‘ would have advised them to have acted in a
 ‘ very different manner towards us, and in a
 ‘ manner more consonant to their own honour
 ‘ and interest as well as ours; But yet I would
 ‘ not have him to depend so much upon his ne-
 ‘ ver being brought to answer for any of those
 ‘ memorials or answers, that have been drawn
 ‘ up, or any of the measures that have been pur-
 ‘ sued by the court of *Spain*, because both might,
 ‘ and, I believe, did very much depend upon the
 ‘ memorials or representations we sent them, and
 ‘ the measures we pursued; and if by any fault
 ‘ or mistake in our conduct, they have been in-
 ‘ duced to send us wrong or evasive answers, or
 ‘ to pursue measures that were contrary to the
 ‘ honour or the interest of this nation, those who
 ‘ were the authors and advisers of our conduct
 ‘ towards them, may justly be made to answer
 ‘ for their conduct towards us; especially as no
 ‘ part of our past conduct can be said to have
 ‘ proceeded from the advice, or from the resolu-
 ‘ tions of Parliament. When I say this, Sir, I
 ‘ would not have it thought, that I intend to
 ‘ blame any part of our late conduct towards
 ‘ *Spain*,

‘ *Spain*, or to charge any gentleman with having
‘ been the author and adviser of that conduct.
‘ This is what neither I nor any gentleman can
‘ do, till he has fully and thoroughly enquired
‘ into the affair now before us, and particularly
‘ the papers now called for.

‘ Every honest *Englishman* will agree, and, I
‘ believe, every true *Spaniard* will, that it is the
‘ interest of both nations to cultivate a friendship
‘ with one another; but, Sir, if we have neglect-
‘ ed to cultivate a friendship with that nation, or
‘ if it should be found, that we have even wilful-
‘ ly or causelessly disobliged them, for the sake
‘ of cultivating a friendship with other nations,
‘ whose friendship can never be of any great ser-
‘ vice to us, or for the sake of encouraging or
‘ protecting a particular set of men amongst our-
‘ selves, I believe it will be generally agreed,
‘ that the authors and advisers of such a conduct,
‘ ought to be enquired after by, and ought to
‘ fall under the censure of, a *British* Parliament:
‘ I believe every man will likewise agree, that we
‘ cannot in justice expect reparation till we are
‘ ready to give it; and that, if we were the first
‘ to offend, we ought to be the first to offer an
‘ atonement. I am far from thinking that this
‘ is the case, but I am sure it will be allowed,
‘ that it may; and surely, this house can come
‘ to no resolution, with respect to the affair be-
‘ fore us, till we know whether this be the case
‘ or not. Now, I would be glad to know, how
‘ it is possible for us to determine, whether this
‘ be the case or not, till we have seen all the
‘ memorials, answers, and other papers, drawn
‘ up by the court of *Spain* upon this head; for,
‘ from these, and these only, we can acquire a
‘ sufficient knowledge of the demands they have
‘ upon us, or the complaints they make against
‘ us.

' 'Tis true, Sir, we cannot presume that any
 ' paper laid before this house can be long kept a
 ' secret, nor can we tell whether the last answer
 ' from *Spain* be a paper which ought to be kept
 ' secret. The honourable gentleman has been
 ' pleased to tell us, it is far from being satisfac-
 ' tory; but if I have been rightly informed, it is
 ' something more than dissatisfactory: I have
 ' been told it may even in some measure be call-
 ' ed menacing and insulting. I shall be glad to
 ' find I have been misinformed. I hope, it is, as
 ' the honourable gentleman says, such a one as
 ' may admit of an explanation. But I am sure,
 ' if a negotiation of twenty years has not been a-
 ' ble to procure a satisfactory answer, or proper
 ' explanations, it is high time for us to take other
 ' measures; and, no measure can be more effectua-
 ' l than an explicit and strong resolution of a
 ' *British* Parliament. Such a resolution has al-
 ' ways hitherto had a great effect upon the coun-
 ' cils of most states in the world, especially such
 ' as have any territories bordering upon our do-
 ' minion in the ocean; I hope it will still have
 ' the same effect; for whatever little divisions
 ' may be amongst us, with respect to our own
 ' domestick affairs, I am convinced those divisi-
 ' ons will never prevent our shewing a firm reso-
 ' lution of being unanimous against any foreign
 ' power; that shall dare to incroach upon or in-
 ' sult us. Upon such occasions, I hope, we will
 ' always shew ourselves as ready to support the
 ' honour of our King, as he is to support the in-
 ' terest and just rights of his people.

' It may, Sir, have been generally observed as
 ' a rule in Parliament, not to enquire into any
 ' foreign affair while it is upon the anvil; but,
 ' even this rule is not without exception, especi-
 ' ally, if any affair should be continued too long
 ' upon the anvil; for its being so, may be a good
 ' reason

‘ reason for a parliamentary enquiry. But, after
‘ either house of Parliament has resolved to en-
‘ quire into any affair, foreign or domestick, was
‘ it ever pretended, that they ought not to call
‘ for every paper necessary for giving them a
‘ full light into that affair? Does not every one
‘ know, that it has always been, and always must
‘ be, the custom of this house, when any affair
‘ is, according to order, to come before us, to
‘ call for all papers which we can suppose to have
‘ any relation to that affair? In such cases, if a-
‘ mong the papers called for, there be any which
‘ ought not, for the sake of publick good, to be
‘ exposed to publick view, it is the business of
‘ the crown to tell us so; but, this is an answer
‘ we ought not to take from any of our own
‘ members. The answer last arrived from *Spain*
‘ is certainly a paper which relates to the affair
‘ we have resolved to enquire into; it is, in my
‘ opinion, the most principal paper, and a paper
‘ without which we cannot come to any proper
‘ resolutions; therefore we certainly ought to call
‘ for it; and, if it be of such a nature as that it
‘ ought not yet to be made publick, his Majesty,
‘ in his answer, will certainly tell us so. When
‘ his Majesty has told us so, we may then con-
‘ sider, whether it may not be proper for us to
‘ put off an enquiry into this affair, till we can
‘ have a sight of that paper; but till we have
‘ such an answer from the crown, and from the
‘ crown only it is, that this house can take such
‘ an answer, there cannot, in my opinion, be any
‘ colour of reason for our not calling for a sight
‘ of it. What the answer from the crown may
‘ be, I shall not pretend to guess at; but, I must
‘ say, I cannot at present suggest to myself any
‘ one reason for thinking that answer of such a
‘ nature, as that it may not be safely communi-
‘ cated to this house. If it be merely dissatisfac-
‘ tory,

‘ tory, it can neither inflame nor hurry us into
 ‘ any violent measures; and, if it be menacing
 ‘ or insulting, it ought to be exposed, for that
 ‘ very purpose. In private life, a man may be
 ‘ my friend, and may have been so for many
 ‘ years; but, if he once begins to menace or in-
 ‘ sult, from that moment he ceases to be so; and,
 ‘ nothing but an abject, sordid spirit, will pa-
 ‘ tiently submit to such treatment, for the sake
 ‘ of any self-interested view whatever.

‘ There is therefore, I think, Sir, not the least
 ‘ foundation for being afraid, lest our resentment
 ‘ should be stirred up beyond its just bounds, by
 ‘ that paper’s being laid before us; and, as for
 ‘ the honour of the court of *Spain*, I wish some
 ‘ gentlemen may not have had formerly too great
 ‘ a regard for it: I wish they may not have sa-
 ‘ crificed some of the most substantial points of
 ‘ *English* honour, to some of the most romantick
 ‘ punctilio’s of *Spanish* honour: For my part, I
 ‘ shall always think, that, in national affairs, as
 ‘ well as in private life, even the punctilio’s of
 ‘ honour ought to be insisted on, when we have
 ‘ to do with those who, on their parts, do insist
 ‘ upon them; and, as I shall always have a much
 ‘ greater regard for the honour of this nation,
 ‘ than for that of any other, if the court of *Spain*,
 ‘ or any other court in *Europe*, should entertain
 ‘ such whimsical notions of their honour, as might
 ‘ prevent their doing justice to us, I should think
 ‘ it inconsistent with the honour of this nation,
 ‘ not to take such measures as might be proper
 ‘ for giving them different notions, both of their
 ‘ own honour, and of the justice that is due to us.

‘ I am as much averse, Sir, to the involving
 ‘ of this nation in a war, especially with *Spain*,
 ‘ as any gentleman can be; and therefore, not-
 ‘ withstanding the many injuries and insults we
 ‘ have suffered, I am against coming to an open
 ‘ rupture,

‘ rupture, if there be any reasonable hopes left,
‘ of obtaining a proper redress in a peaceable
‘ manner; but, for Godfakes, Sir, when are these
‘ hopes to be at an end? In this respect, I am
‘ sure, it cannot be said, but that we have already
‘ hoped sufficiently; we have hoped, and hoped,
‘ and hoped again; but, by what yet appears,
‘ we have, I think, hitherto hoped in vain. If
‘ we should now put a period to our pacifick
‘ hopes, and begin to put on the hopes of a brave
‘ man and a soldier, we may perhaps be disap-
‘ pointed in them as well as we have been in the
‘ other. It is not the first brave man, or power-
‘ ful nation, that have met with a defeat, when
‘ they hoped, when they had reason to hope, for
‘ victory and success; but will this uncertainty
‘ ever be a reason with any brave man, or pow-
‘ erful nation, to bear tamely with repeated inju-
‘ ries and insults? When there is a just cause for
‘ war, we ought certainly to take all prudent and
‘ necessary measures for securing victory on our
‘ side, and when we have done so, we must trust
‘ the event to providence. Now, Sir, I should
‘ be glad to know, whether, in our deliberations
‘ on this affair, we are to enquire what reasonable
‘ hopes we may have of obtaining redress in a
‘ peaceable manner; because, if this be one of
‘ the points that is to fall under our consideration,
‘ and that it is, I can hardly think any gentleman
‘ will seriously deny, it is absolutely impossible
‘ for us to determine this question, without see-
‘ ing the last answer from *Spain*; and therefore,
‘ it is absolutely necessary for us to call for that
‘ answer in particular, if we are seriously resolved
‘ to make a thorough enquiry into this affair,
‘ and to come to such resolutions as may be wor-
‘ thy of a *British* Parliament.

‘ Prudence and pusillanimity, Sir, even with
‘ respect to national affairs, are not words of such
‘ an

‘ an intricate or unintelligible nature, but that
‘ they may be understood by Parliaments as well
‘ as ministers. Even a Parliament may avoid
‘ pusillanimity, without running into rash or pre-
‘ cipitate measures; and if our cabinet, or any
‘ other of our private councils, have been guilty
‘ of pusillanimity, our Parliament may correct it
‘ by their prudence. The wisdom of Parliament,
‘ is the wisdom of the nation; and in all national
‘ affairs of great importance, surely the wisdom
‘ of the nation ought to be consulted. We are
‘ not to conclude, that such a step must necessa-
‘ rily and unavoidably throw us into a war; and
‘ much less are we to conclude, that the laying
‘ of this last answer, or any answer, from *Spain*,
‘ will necessarily produce such an effect. On
‘ the contrary, a strict parliamentary enquiry in-
‘ to this affair, may prevent an open rupture.
‘ The court of *Spain*, if they are in the wrong,
‘ will then see we are serious; they will from
‘ thence conclude, we are no longer to be dal-
‘ lied with, and may probably shew more re-
‘ spect to the interposition of Parliament, than
‘ they have ever shewed to the negotiations of
‘ our ministers. If they are not in the wrong,
‘ which may be the case; for though they have
‘ certainly done us many and great injuries, yet
‘ their having done so, may, for what we know,
‘ proceed from our having first done injuries to
‘ them; and their refusing or delaying to make
‘ reparation to us, may proceed from our refusing
‘ or delaying to make or so much as to offer, any
‘ reparation to them: If this be the case, if our
‘ ministers have been guilty of any misconduct or
‘ unjust obstinacy in this respect, which I am far
‘ from suspecting they have, we cannot expect
‘ that they will immediately, and of themselves,
‘ acknowledge their error, and change their con-
‘ duct; but whatever faults they may have this
‘ way

‘ way been guilty of, will certainly, upon a pro-
‘ per enquiry, be rectified by the resolutions of
‘ Parliament; so that by laying this affair fully
‘ before Parliament, a war may be prevented,
‘ which would otherwise be unavoidable; but
‘ without a thorough enquiry into the disputes
‘ between *Spain* and us from first to last, we can-
‘ not discover whether our ministers have been
‘ guilty of any misconduct or unjust obstinacy,
‘ and consequently can come to no proper resolu-
‘ tions for rectifying their mistakes; and I am
‘ sure, without seeing every paper that has passed
‘ between the two courts relating to these dis-
‘ putes, we can make no thorough enquiry.

‘ We cannot, ’tis true, Sir, guess, from the
‘ papers now called for, how the other powers of
‘ *Europe* stand affected towards us, or what assis-
‘ tance either we or the *Spaniards* might expect
‘ from any of them, in case of an open rupture
‘ between the two nations; but as these disputes
‘ between *Spain* and us, have been depending for
‘ above these twenty years; as every man saw
‘ that these disputes were of such a nature, as
‘ might at last occasion an open rupture, we can-
‘ not but suppose, from the known wisdom and
‘ foresight of his Majesty’s ministers, that care
‘ has been taken, by proper treaties and alliances,
‘ and by the many negotiations we have lately
‘ carried on, to provide and secure to us all the
‘ assistance we may stand in need of, or at least
‘ to prevent any other power in *Europe*, from
‘ endeavouring to support our enemies, in any
‘ unjust measures they may have been guilty of
‘ towards us. But suppose it were otherwise,
‘ which I am sure no gentleman will willingly
‘ suppose: Are our merchants to be plundered,
‘ and our seamen cruelly used, for many years
‘ together, in time of profound peace? Are they
‘ to come frequently to Parliament with com-
‘ plaints

‘ complaints of such treatment? And is a *British* Par-
 ‘ liament always to content itself with presenting
 ‘ an humble address to the throne, praying that
 ‘ his Majesty would use his endeavours, for ob-
 ‘ taining satisfaction to his injured subjects?

‘ Sir, this would be inconsistent with the ho-
 ‘ nour and the duty of Parliament. In the case
 ‘ of a domestick grievance, if the Parliament
 ‘ should address to have it removed, and if seve-
 ‘ ral years after, a petition should be brought to
 ‘ Parliament, representing that, notwithstanding
 ‘ their address, the grievance remained, and was
 ‘ more heavy and frequent than before, what
 ‘ then would be the business and duty of Parlia-
 ‘ ment? Would not they be in honour obliged
 ‘ to enquire, how it came that the grievance was
 ‘ not removed, to enquire at whose door the fault
 ‘ lay, and to punish those who had been guilty?
 ‘ With respect to any foreign grievance, our duty
 ‘ is the same. The grievances, the injuries now
 ‘ complained of, and so often before complained
 ‘ of, are such as no nation ought patiently to suf-
 ‘ fer, if there be any way of redressing them,
 ‘ either by fair or foul means; and if there be no
 ‘ way of redressing them, if by any misconduct
 ‘ the nation be brought into such a melancholy
 ‘ state, that we must suffer them, which God for-
 ‘ bid! the Parliament ought to enquire into the
 ‘ affair, if not to find a remedy, at least to pu-
 ‘ nish those who have made our case remediless.
 ‘ Therefore I must think it incumbent upon us,
 ‘ to proceed now a little further. We have twice
 ‘ already addressed for having this grievance re-
 ‘ moved: It is now high time for us to enquire,
 ‘ how it comes that it has not been removed: But
 ‘ if we should be so good-natured as to rest satis-
 ‘ fied with presenting a third humble address;
 ‘ surely that address ought to be in different terms
 ‘ from any of the former. I shall not pretend to
 ‘ tell

‘ tell what we ought to do, or in what terms we
‘ ought to address, nor can any gentleman pre-
‘ tend to tell, till he has seen and deliberately
‘ examined every paper relating to this affair.
‘ An open rupture with *Spain* cannot, as I have
‘ said, be supposed to be a necessary consequence
‘ of such an enquiry; but if it should, a just and
‘ casual war never produces a settled enmity be-
‘ tween two nations; nothing but a perpetual
‘ clashing of national interests, can produce such
‘ a one; and even though a war should produce
‘ such an enmity, it will always be more for the
‘ interest, as well as honour, of this nation, that
‘ the people of *Spain* should hate and fear us,
‘ than that they and every other nation in the
‘ world should condemn and despise us.

‘ I should be extremely sorry, Sir, to think
‘ that all those who complain of our long suffer-
‘ ings, with respect to the depredations commit-
‘ ted by the *Spaniards*, are such as are disaffected
‘ to his Majesty and his Family; it would be a
‘ melancholy and a dreadful prospect, to every
‘ man who has a true regard for our present hap-
‘ py establishment; but I am sure they are not.
‘ I know many of them, who would venture their
‘ lives and fortunes for the support of our present
‘ establishment, with as much alacrity as they
‘ would venture them in revenging the insults,
‘ that have been lately put upon us by the *Spa-
‘ niards*. Most of those who complain are fully
‘ sensible, and most will readily acknowledge,
‘ that his Majesty can be no way to blame in this
‘ affair. They know how ready he is, upon every
‘ occasion, to vindicate the honour of his crown,
‘ or assert the just rights of his subjects; but I
‘ doubt much if any of these people will make
‘ the same acknowledgments, with respect to all
‘ his Majesty’s ministers. Who are to blame, or
‘ what way they are to blame, those who com-
‘ plain

plain do not know, nor can I tell them, till I see the papers now called for; but considering the power of this nation, when compared with that of *Spain*, and considering the many opportunities, we have lately had, for obtaining or compelling from *Spain* a full satisfaction and security, every man concludes, that some persons amongst ourselves must be to blame, for our having so long and so patiently submitted to such indignities. If the honourable gentleman has a mind to remove all cause of suspicion from himself, the best thing he can do is, not to oppose any thing that may tend to the clearing up of this affair; and therefore, I think, if he has any regard for the opinion his countrymen may entertain of him, he ought to withdraw the amendment he has been pleased to offer, and join with us in calling for the late answer from *Spain*, as well as every other memorial or answer they have sent us upon the same subject.

What may be in the papers relating to this affair, which are now upon our table, or what justification any gentleman in the administration, may expect from any of them, I do not know; for, I neither have been at the pains to examine them strictly, nor shall be at any such pains, till the whole be laid before us; and, I hope, the honourable gentleman will not think, that this neglect or indolence in me, proceeds from any unwillingness to vindicate him, or any other gentleman concerned in these transactions; but really from an opinion, that I cannot make myself master of the affair, or pass any judgment relating to it, till the whole be laid before the house; and, when that is done, I can assure him, I shall be extremely glad, though I must say, I shall be a little surprized, to find, that we have been guilty of no mistake
or

‘ or blunder, in this long, tedious, and perplex-
‘ ed negotiation. If this should be the case, it
‘ must be allowed, that, if we have not, within
‘ these twenty years, added much to our charac-
‘ ter of fighting, for which we were always fa-
‘ mous, we have acquired a new character, for
‘ which we were never famous, I mean, that of
‘ being cunning negotiators, and cautious, subtle
‘ treaty-makers. I shall then congratulate with
‘ the honourable gentleman upon the new honour
‘ the nation has acquired by his means, or by the
‘ means of some of his friends; but, in the mean
‘ time I must observe, that, if it be so easy a
‘ matter to vindicate our measures, with respect
‘ to these negotiations, from the papers already
‘ upon our table, I wonder it has not been alrea-
‘ dy attempted by some of the honourable gen-
‘ tleman’s friends; for considering the loud and
‘ general complaints against the fruitlessness of
‘ these negotiations, every man must acknow-
‘ ledge, a vindication of them would be of great
‘ service to, and is, I think, even become neces-
‘ sary for those that were concerned in them;
‘ and, I am sure it cannot be said, he wants
‘ friends, who have hearts to undertake, and
‘ heads to execute such a design, in the most ele-
‘ gant, the most polite, and the most convincing
‘ manner.

‘ Upon the whole, Sir, there is nothing can
‘ contribute more to the good of the nation, no-
‘ thing can so effectually prevent our being obli-
‘ ged to come to an open rupture, as our shew-
‘ ing that we are unanimous, and peremptorily
‘ resolved to be at the bottom of our present dis-
‘ putes with *Spain*, and to put an immediate end
‘ to them, either by the pens of our ministers or
‘ the mouths of our cannon. If we begin, in
‘ the very first step, with mincing the matter,
‘ and seeming to be afraid, lest we should diso-

‘ blige the court of *Spain* by any resolution we
‘ may come to, no man either abroad or at home
‘ will believe we are serious, nor will the court of
‘ *Spain* think of making any new offers, or giving
‘ plain and explicit answers. Therefore, if there
‘ were no necessity for our seeing the last answer
‘ from *Spain*, I should be for calling for it, for
‘ this reason only, because it has been moved for.

‘ The calling for the last answer from *Spain*,
‘ Sir, or any other paper relating to the affair we
‘ have agreed to enquire into, is not against any
‘ rule observed in our proceedings, it can be at-
‘ tended with no present danger, nor can it be a
‘ precedent of dangerous consequence in time to
‘ come; because, all those papers, and the last
‘ answer in particular, are absolutely necessary for
‘ the enquiry we have resolved to make. If there
‘ be any secret in any of those papers, which
‘ ought not to be divulged, it may be a good
‘ argument, after we are told so by the crown,
‘ for delaying or putting off the enquiry, since
‘ we cannot enquire, nor come to any proper re-
‘ solutions, without seeing those papers; but,
‘ there being secrets in them which ought not
‘ yet to be divulged, can be no reason for our
‘ not calling for them; because, it is from the
‘ crown only, that this house can, or ought to
‘ take such an answer.

‘ What interest, Sir, or what private end, the
‘ honourable gentleman, or any of his friends,
‘ may have, or if they have any, for concealing
‘ any memorial or answer from *Spain*, I shall not
‘ take upon me to determine; but, I have alrea-
‘ dy shewn, that he and his friends are not abso-
‘ lutely unconcerned, even as to the papers that
‘ have been penned or advised by the court of
‘ *Spain*; because the measures of every court are
‘ always influenced by the measures of others,
‘ especially those with whom they negotiate;
‘ therefore,

‘ therefore, his present opposition may afford
 ‘ some suspicion of his being afraid, lest the lay-
 ‘ ing of those papers before the house should oc-
 ‘ casion an enquiry into his conduct, or into the
 ‘ conduct of some of his friends; but I am far
 ‘ from conceiving any such suspicion; I hope his
 ‘ conduct and behaviour has in this respect, as
 ‘ well as every other, been so wise and upright,
 ‘ that he fears no impartial enquiry into his own
 ‘ conduct; and I cannot allow myself to think,
 ‘ he would desire to prevent an enquiry into the
 ‘ conduct of any of his friends; because, if they
 ‘ have behaved in the same manner he has done,
 ‘ an impartial enquiry into their conduct would
 ‘ redound to their honour; and, if any of them
 ‘ have behaved otherwise, I am sure he would
 ‘ scorn to think of endeavouring to screen the
 ‘ guilty.

‘ I have now, I think, fully shewn, Sir, that
 ‘ the papers called for are all such as we must
 ‘ see, before we can go into the enquiry we have
 ‘ resolved on; that there can be no danger, nor
 ‘ the least inconvenience, in our calling for all or
 ‘ any of them; and, I hope, the honourable gen-
 ‘ tleman has no private end to serve by opposing
 ‘ the calling for, or even publishing any one of
 ‘ them: Therefore, for the sake of unanimity,
 ‘ and for the sake of persuading the world that we
 ‘ are serious in what we are about, I must hope,
 ‘ he will withdraw the amendment he has been
 ‘ pleased to offer, and agree to the motion as it
 ‘ was at first proposed.’

The next that spoke was *Horace Walpole*, Esq;
 whose speech was in substance as follows, *viz.*

‘ Mr. Speaker,

‘ Sir, I am glad to hear the honourable gen-
 ‘ tleman that spoke last, acting so much the part
 ‘ of

*Mr. Wal-
 pole's speech.*

‘ of a friend towards the honourable gentleman
‘ that spoke before him, as to offer him his sin-
‘ cere advice. Whatever advice the honourable
‘ gentleman may be pleased to offer, either upon
‘ this or any other occasion, will always, I am
‘ convinced, be gratefully received, and will be
‘ of great weight with my honourable friend near
‘ me; but, in the present case, I doubt much if
‘ his advice will be taken; I do not, indeed,
‘ think it ought. I shall readily grant that in all
‘ cases a man ought to consult, and have a regard
‘ to his own safety, and that he ought to chuse
‘ that method of speaking and acting, which will
‘ least expose him to danger; but, in all matters
‘ of a publick concern, I hope it will be allowed,
‘ there is a superior consideration: The safety of
‘ a man’s country is what he ought to prefer
‘ even to his own safety; and every true patriot
‘ will certainly do so upon all occasions.

‘ Considering the uncertainties of war, as well
‘ as the uncertainty of all events which depend
‘ upon foreign negotiations; and, considering
‘ how much the judgment of the inferior sort,
‘ and the resolutions or behaviour even of the
‘ better sort, depend upon the event of things, I
‘ do not know, Sir, but that, if my honourable
‘ friend near me consulted only his own safety,
‘ he would take the advice that has been given
‘ him: He would chuse to have our future con-
‘ duct proceed from the resolutions of Parliament,
‘ and would for that end advise laying every pa-
‘ per relating to the affair now under our confi-
‘ deration before Parliament: But if he really
‘ thinks, the laying of all those papers before
‘ Parliament, would tend to the prejudice of his
‘ country, he ought to oppose it, whatever may
‘ be the event of that opposition with respect to
‘ himself; and if, in such a case, for the sake of
‘ his country, he runs the risk of drawing upon
‘ himself

‘ himself the resentment of his country, it must
‘ be allowed, he acts the part of a true patriot.

‘ I hope I shall be excused, Sir, if I say, I
‘ have so good an opinion of the honourable gen-
‘ tleman who proposed the amendment, that I
‘ am convinced he thinks it inconsistent with the
‘ good of his country, to have the answers from
‘ *Spain*, especially the last, laid before this house,
‘ otherwise he would not have opposed their be-
‘ ing called for; and, of this, I have the more
‘ reason to be convinced, because I am myself of
‘ the same opinion. I am fully persuaded that
‘ the publishing, at this juncture, of all, or any
‘ of these answers, which would be the certain
‘ consequence of laying them before us, might
‘ be attended with great inconveniences, with
‘ respect to the publick good of the nation; and,
‘ as the affair is now under negotiation, as the
‘ last answer from *Spain* relating to that negotia-
‘ tion, arrived but a few days ago, every gentle-
‘ man must allow, that the presumption at least,
‘ is in favour of my opinion; for, I believe it
‘ was never heard of in any country, that the
‘ material papers relating to any negotiation,
‘ were published, till that negotiation was some
‘ way or other brought to a period: I believe no
‘ nation would publish such papers with any o-
‘ ther view, than that of breaking off all future
‘ conferences upon that subject; and the state
‘ with whom they had been in negotiation, would
‘ certainly look upon it as done with that design,
‘ and would therefore resolve not to treat with
‘ them any longer in a friendly and peaceable
‘ manner; therefore, if it be more for the good
‘ of the nation to have this affair accommodated
‘ in a private and peaceable manner, than to
‘ have recourse to an open and warlike method,
‘ it must be inconsistent with the publick good

‘ to have all the papers now called for laid before
‘ the house.

‘ Sir, the publishing of all the answers from
‘ *Spain* relating to the affair now before us, would
‘ not only be looked upon by them, as done with
‘ a design to break off all future conferences up-
‘ on that subject, but, I believe, it would be
‘ looked upon by them as, and would really I
‘ think be, a sort of declaration of war. The
‘ publishing of those papers would, in my opi-
‘ nion, be the same with publishing a manifesto;
‘ for if war were to be declared, and a manifesto
‘ to be published, that manifesto must be drawn
‘ up chiefly from those very memorials or answers
‘ which are now called for; and I can see no great
‘ difference between publishing a manifesto, and
‘ publishing the grounds and reasons upon which
‘ it must be founded, if ever it be published.
‘ The design of such a manifesto, if any such
‘ thing were to be published, would be, to re-
‘ present in the strongest light the insults and in-
‘ juries put upon us by the *Spaniards*, and the in-
‘ justice and frivolousness of the pretences they
‘ made use of, for behaving in such a manner to-
‘ wards us, or for delaying to give satisfaction;
‘ and this can be done only from the papers now
‘ called for. As for the insults and injuries we have
‘ suffered, they are already too publick: They
‘ have been published, and, I believe, even aggra-
‘ vated, with great care and industry; and there-
‘ fore, those papers that give an account of them,
‘ may be laid before us without any danger: But
‘ as to the pretences made use of by *Spain*, either
‘ for justifying those insults and injuries, or for
‘ delaying to give a full reparation and satisfac-
‘ tion, they are not yet publickly known, nor
‘ ought they to be made publick, as long as there
‘ are any hopes of getting the *Spaniards*, by
‘ peaceable means, to pass from the pretences
‘ they

‘ they now make use of, and to make satisfaction
‘ for past injuries, as well as to give a proper se-
‘ curity against any such in time to come. When
‘ we can no longer entertain any such hopes, it
‘ will then be time to publish, and expose the
‘ frivolousness of the pretences they make use of;
‘ but this ought to be done only by way of ma-
‘ nifesto from his Majesty, in order to justify the
‘ force he then finds himself obliged to make use
‘ of; and I am sure no manifesto, nor any thing
‘ like a manifesto, ought to be published, till we
‘ are prepared to back it with such a formidable
‘ armament, as may be suitable to the power of
‘ this nation, or necessary for compelling our e-
‘ nemies to submit to reasonable terms.

‘ It is very easy, Sir, to talk big, either with-
‘ in doors or without; and, considering the spirit
‘ of resentment that has been industriously stirred
‘ up in the nation, I know, it would be mighty
‘ popular in us, to come to vigorous resolutions
‘ immediately; but I do not know, if it would
‘ be mighty wise. I am sure, it would not be
‘ wise, as long as there is any hopes of obtaining
‘ redress by peaceable means; and even when we
‘ are come to an end of all our hopes in this way,
‘ we ought not to begin to talk, till we are ready
‘ to act. In this we ought to follow the example
‘ of that sort of animal which is peculiar to this
‘ island, and therefore I am not ashamed to re-
‘ commend its example to my countrymen: I
‘ mean our brave *English* Bull-Dog, who always
‘ seizes upon his enemy at once, and without
‘ making the least noise before-hand. Threat-
‘ ning speeches, or even threatening resolutions,
‘ are but words. They are, *Vox & præterea ni-*
‘ *hil*; and therefore the less they are made use of
‘ the better: But if any such are ever made use
‘ of, they ought to be instantly followed with
‘ suitable actions; for if they are not, those who
‘ have

‘ have injured us, will despise our menaces, and
‘ the whole world will laugh at our folly.

‘ When one nation, Sir, has been insulted, or
‘ ill used by another, and no redress can be ob-
‘ tained by fair means, it is without doubt ex-
‘ tremely proper, and even necessary, for those
‘ who are concerned in the government of the
‘ injured nation, to publish and set the injuries
‘ they have suffered in the strongest light, in or-
‘ der to excite the resentment of their own peo-
‘ ple, and to animate them against the nation
‘ that has injured them; but this ought not to be
‘ done till they are both resolved and ready to
‘ come to an open rupture. Now, as those who
‘ are concerned in the government of a nation are
‘ the best, if not the sole judges, not only of the
‘ time when they ought to resolve, but likewise
‘ of the time when they are ready and prepared
‘ to come to an open rupture; therefore, in my
‘ opinion, they are the only persons, that ought
‘ to be allowed to endeavour to stir up what is
‘ called a national resentment. For this reason,
‘ I cannot but think, that some of those gentle-
‘ men who have been lately so busy in stirring up
‘ the resentment of our people against the whole
‘ *Spanish* nation, have gone a little beyond their
‘ sphere: They have been acting a part they were
‘ no way qualified for, either by their knowledge
‘ of publick affairs, or the station they happened
‘ to be in. They have been doing all that they
‘ could to involve the nation in a war, when, for
‘ what they knew, we were in a fair way of ob-
‘ taining redress by peaceable measures; or per-
‘ haps, when our circumstances, neither at home
‘ nor abroad, could allow us to come to an open
‘ rupture. In either of which cases it must be
‘ allowed, they have been doing their country an
‘ injury; for, with respect to the former, if we
‘ should have obtained, or should yet obtain re-
‘ dress

‘ dress by peaceable measures, they have been
‘ doing an injury to their country, by endeavour-
‘ ing to stir up and establish among our people,
‘ an enmity to a nation, with which it is our in-
‘ terest to be in perpetual friendship; and even
‘ though we should at last be obliged to come to
‘ an open rupture, yet they have done an injury
‘ to their country, by beginning too early to stir
‘ up the resentment of our people; because, when
‘ the resentment of a people is too soon stirred
‘ up, it is apt to evaporate before it produces the
‘ proper effect.

‘ Thus, Sir, it must appear, that those busy
‘ intermeddlers in publick affairs have been doing
‘ an injury to their country, whatever may be
‘ the effect of our present negotiations, and sup-
‘ posing we were in circumstances proper for en-
‘ couraging us to declare war; but, if we were
‘ not in such circumstances, they were endeavour-
‘ ing to do a most notable injury to their coun-
‘ try; for surely, no greater injury can be done
‘ to a country than that of involving it in a war,
‘ when it has no prospect of being able to prose-
‘ cute the war with advantage. It was a maxim
‘ with *Julius Cæsar*, never to venture even a bat-
‘ tle, if the disadvantages that might ensue from
‘ a defeat appeared to be greater than any advan-
‘ tages he could expect from a victory; and in
‘ *Africa*, we are told, that he bore with many
‘ insults and indignities from the adverse army,
‘ only because by a little patience he had reason
‘ to expect being able to obtain a victory with
‘ less blood-shed. In resolving upon war or peace,
‘ the same maxim ought to be observed; which
‘ makes the question of such an intricate nature,
‘ that none but those who are thoroughly ac-
‘ quainted with the circumstances of a nation can,
‘ or ought to deliberate upon it; therefore as we
‘ cannot pretend to be thoroughly acquainted
‘ with

‘ with the present circumstances of the nation, we
‘ ought not to do any thing, nor desire any thing
‘ to be done, that may tend towards involving
‘ the nation in a war; and till his Majesty ac-
‘ quaints us that he is resolved upon, and prepa-
‘ red for an open rupture, we ought not to call
‘ for any paper, that may, for what we know,
‘ tend to confirm and even irritate that national
‘ resentment, which has been already most im-
‘ prudently, if not seditiously, stirred up.

‘ From what I have said, Sir, I think it is evi-
‘ dent, that the memorials or answers from *Spain*,
‘ especially the last, are in all probability papers
‘ of such a nature, that they cannot yet be com-
‘ municated to this house. That they are of such
‘ a nature is, ’tis true, what the house is not obli-
‘ ged to take my word for, nor that of any other
‘ member; but it has always been observed as a
‘ rule in this house, to call for no papers but such
‘ as we had reason to believe, the crown might
‘ safely communicate to us. Surely we are not
‘ to court a denial from the crown; and upon
‘ the present occasion, we ought to be more cau-
‘ tious in this respect than at other times. Every
‘ one knows how loth his Majesty is to deny any
‘ thing to his Parliament. Nothing but the pub-
‘ lick good will ever prevail with him to do so;
‘ and even in such a case, it would be with the
‘ utmost reluctance and uneasiness. I am persua-
‘ ded every gentleman that hears me, has such a
‘ dutiful respect for his Majesty, that he would
‘ not propose or agree to any thing, that might
‘ unnecessarily give him a moment’s disquiet;
‘ but in the present case, a denial from the crown
‘ might be attended with consequences still more
‘ fatal. It would make all other foreigners as well
‘ as the *Spaniards* who do not well understand our
‘ constitution, imagine, that there was no good
‘ harmony between his Majesty and his Parlia-
‘ ment;

‘ ment; which would of course render the *Spani-*
‘ *ards* less pliable than they are at present, and
‘ consequently might not only prevent our being
‘ able to obtain redress in a peaceable manner, but
‘ might even prevent our being able to form pro-
‘ per alliances for obtaining it by force of arms.

‘ It has been said, Sir, that all the papers now
‘ called for, are absolutely necessary for the en-
‘ quiry we have already resolved on. This, in
‘ my opinion, is very far from being the case.
‘ We have resolved to take the petitions now
‘ presented to us into our consideration. In pur-
‘ suance of this resolution, we cannot regularly
‘ enter into any enquiry, but that which relates
‘ to the truth of the facts set forth in the peti-
‘ tions; and surely we can expect no proof of
‘ those facts from any of the *Spanish* memorials.
‘ When we have examined into those facts, and
‘ found some or most of them to be true, which,
‘ I believe, will be the case, such a discovery
‘ may give a foundation for our resolving upon
‘ another enquiry; and upon that future enquiry,
‘ it may be thought necessary for us to see the
‘ memorials or answers from *Spain*: If this should
‘ be the case, they may then be called for; but
‘ till then, I cannot find we have the least occa-
‘ sion to examine into any one of them.

‘ As for an enquiry into the conduct of those
‘ that have been concerned in our late negotiations
‘ with *Spain*, gentlemen may enter into it when
‘ they please; but I hope they would not, for
‘ the sake of punishing our negotiators, supposing
‘ they have been guilty of mistakes, resolve to
‘ punish the nation, by involving it in a dange-
‘ rous and expensive war, which in all probability
‘ might have been otherwise avoided. I have
‘ had some hand, Sir, in several negotiations;
‘ but I think it cannot be said, I had ever any
‘ share in any of our negotiations with *Spain*;
‘ however,

‘ however, I know something of them, and
 ‘ from what I know, from what is publickly
 ‘ known, I must observe, that some gentlemen
 ‘ seem to be in a surprizing mistake as to these ne-
 ‘ gotiations. They seem to insinuate, as if we
 ‘ had been negotiating with *Spain* for above twen-
 ‘ ty years without any effect. Surely, gentlemen
 ‘ cannot have forgot, that, within these twenty
 ‘ years, there have been two publick and famous
 ‘ treaties between *Spain* and us; by each of
 ‘ which they promised full reparation for all
 ‘ past injuries, and that no such injuries should
 ‘ be committed for the future. We all know,
 ‘ that in the year 1721 a treaty of peace was
 ‘ concluded at *Madrid* between *Spain* and us,
 ‘ which was the same year confirmed by the
 ‘ treaty of alliance between *Great Britain*, *France*
 ‘ and *Spain*; that by the second article of the
 ‘ said treaty, *all former treaties were confirmed*;
 ‘ and that by the third article, his Catholick
 ‘ Majesty expressly promised, *that all the goods,*
 ‘ *merchandizes, money, ships, and other effects,*
 ‘ *which had been seized, as well in Spain as the*
 ‘ *Indies, should be speedily restored in the same*
 ‘ *kind, or according to the just and true value of*
 ‘ *them, at the time they were seized.*

‘ We must from hence, Sir, suppose, that by
 ‘ this treaty an end was put to all negotiations
 ‘ before that time; and that from this treaty our
 ‘ ministers had reason to expect full reparation for
 ‘ all past injuries, and a security against all such
 ‘ in time to come; but some new differences
 ‘ having afterwards arisen between the two na-
 ‘ tions, a new treaty was set on foot, which was
 ‘ afterwards concluded at *Seville*, in the year
 ‘ 1729. By this new treaty a reparation for past
 ‘ injuries, and a security against future were again
 ‘ expressly stipulated; for, by the first article, *all*
 ‘ *former treaties of peace, friendship, and com-*
 ‘ *merce,*

‘ *merce, are renewed and confirmed; and they ex-*
‘ *pressly promise, not to do any thing, nor suffer*
‘ *any thing to be done, that may be contrary there-*
‘ *to, directly or indirectly: By the fourth article,*
‘ *it is stipulated particularly, That the commerce of*
‘ *the English Nation in America should be exercised*
‘ *as heretofore; and that orders should be dispatch-*
‘ *ed, without any delay, as well for the execution of*
‘ *the said treaties of commerce, as for supplying*
‘ *what may be wanting for the entire re-establishment*
‘ *of commerce, on the foot of the said treaties and*
‘ *conventions. And by the sixth article it is a-*
‘ *greed, That commissaries should be nominated, with-*
‘ *in four months after the exchange of the rati-*
‘ *fications, for examining and deciding the respective*
‘ *pretensions which related to the abuses supposed to*
‘ *have been committed in commerce, as well in the*
‘ *Indies as in Europe, and all the other respective*
‘ *pretensions in America, whether with respect to*
‘ *the limits or otherwise; and they promise, to*
‘ *cause to be executed punctually and exactly, what*
‘ *should be so decided by the said commissaries, within*
‘ *six months after the making of their report;*
‘ *which report they were, by the eighth article,*
‘ *to make, within three years, to be computed*
‘ *from the day of the signing of that treaty.*

‘ Accordingly, we know, Sir, that commissa-
‘ ries were respectively nominated; but by vari-
‘ ous accidents the meeting of these commissaries
‘ was delayed till the beginning of the year 1732;
‘ and therefore the time for their finishing their
‘ commission and making their report, was pro-
‘ longed to the end of three years after their first
‘ meeting; so that the negotiations, upon the
‘ footing on which they are at present, cannot be
‘ said to have commenced till the beginning of
‘ the year 1735, and therefore cannot be said to
‘ have lasted above three years; and from consi-
‘ dering these treaties, especially the last, and the
‘ several

‘ several steps that have been made by us since
 ‘ that time, it must be granted, I think, that we
 ‘ have done all that a prudent and wise people
 ‘ could do for obtaining, in a peaceable manner,
 ‘ a full reparation for all past injuries, and an ab-
 ‘ solute security against our being exposed to any
 ‘ such in time to come. If there is any fault
 ‘ therefore, it must be wholly attributed to the
 ‘ *Spaniards*, who have refused or neglected to
 ‘ perform the repeated solemn engagements they
 ‘ have entered into with us ; but with regard to
 ‘ their behaviour towards us, or whether the
 ‘ breaches of promise they have been guilty of
 ‘ can warrant an immediate rupture, is an enquiry
 ‘ which cannot come regularly before this house ;
 ‘ nor ought we, by our constitution, to attempt
 ‘ any such enquiry : It is an enquiry which ought
 ‘ to be left entirely to his Majesty’s wisdom and
 ‘ justice ; because, from thence it is that peace
 ‘ or war must be determined ; and, I hope, it
 ‘ will be admitted, that our pretending to deter-
 ‘ mine in this case, would be an incroachment
 ‘ upon the prerogatives of the crown.

‘ The Parliament, ’tis true, Sir, is the great
 ‘ and the supreme council of the nation, and con-
 ‘ sequently it is the council in which our King
 ‘ ought to put his chief confidence, and which
 ‘ he ought to consult upon all important affairs,
 ‘ when those affairs are brought to such maturity,
 ‘ or to such a crisis, as to be ripe for being made
 ‘ publick ; but no man will pretend, that the
 ‘ Parliament is a secret council, or, that any af-
 ‘ fair ought to be laid before Parliament, till it can
 ‘ be safely communicated to the publick. Nego-
 ‘ tiations of all kinds are of such a nature that,
 ‘ while they continue in the shape of negotiation,
 ‘ they ought to be kept inviolably secret ; and, it
 ‘ is for this reason that, by the excellence and wis-
 ‘ dom of our constitution, the power of making
 ‘ peace

‘ peace or war is lodged solely in the crown ; be-
‘ cause, for the good of the nation, it is absolutely
‘ necessary, that all the steps we make towards a
‘ peace, should be kept secret, till a treaty is actu-
‘ ally concluded for that purpose ; and likewise it is
‘ necessary, that all the steps we make towards a
‘ war, nay, even our preparations for war, should
‘ be kept as secret as possible, till a war is actually
‘ declared, or at least just ready to be declared.
‘ In the present case, if our negotiations with
‘ *Spain* should end in a treaty, which, it is to be
‘ hoped they will, his Majesty will then, without
‘ doubt, communicate that treaty to his Parlia-
‘ ment ; and, on the other hand, if our present
‘ negotiations should prove abortive, if his Ma-
‘ jesty should at last find, that nothing will pre-
‘ vail but the *ultima ratio regum*, he will certainly
‘ make such alliances, and take such measures, as
‘ he in his great wisdom may think proper or
‘ necessary, for rendering the issue of that war
‘ advantageous and glorious to this nation ; and
‘ when he has not only fully resolved upon war,
‘ but is fully prepared for coming to an open rup-
‘ ture, he will then communicate to his Parlia-
‘ ment the several steps he has taken, and all the
‘ papers that may be necessary for giving them a
‘ sufficient light into the affair. This, I say, Sir,
‘ we may be assured of, from his Majesty’s known
‘ wisdom, and from the condescension he has
‘ always shewed towards his Parliaments ; there-
‘ fore, we ought to be extremely cautious in call-
‘ ing for any papers, that may tend towards ren-
‘ dering publick any present negotiation his Ma-
‘ jesty may be engaged in ; and, as this would
‘ probably be the consequence of laying any of
‘ the late memorials or answers from *Spain* before
‘ us, we ought to suspend our curiosity, till his
‘ Majesty may think it proper to communicate
‘ them.

‘ I hope, Sir, I have now clearly shewn, that
 ‘ none of the memorials or answers from *Spain*
 ‘ can be said to be necessary for any enquiry we
 ‘ have as yet resolved on ; and that the commu-
 ‘ nicating of any of them to this house, or even
 ‘ our calling for them, would be of dangerous
 ‘ consequence. Then, as to the unanimity of
 ‘ our proceedings, I cannot but think, it is as
 ‘ strong an argument for prevailing with the
 ‘ honourable gentleman who made the motion, to
 ‘ agree to the amendment proposed, as it can be
 ‘ for prevailing with my honourable friend to
 ‘ withdraw the amendment he has offered ;
 ‘ therefore, whatever regard he may have for the
 ‘ honourable gentleman who was so good as to
 ‘ offer him advice, I hope he will, upon the pre-
 ‘ sent occasion, take the liberty to refuse it ; and,
 ‘ I hope that, for the sake of unanimity, the ho-
 ‘ nourable gentleman who made the motion, will
 ‘ be the first to agree to the amendment that has
 ‘ been offered.’

Next after *Horace Walpole, Esq;* *Sir William Wyndham* stood up, and spoke to the effect as follows, viz.

‘ Mr. Speaker,

Sir William Wyndham's speech.

‘ Sir, When the honourable gentleman who
 ‘ proposed the amendment, first gave his reasons
 ‘ against some part of the motion that had been
 ‘ made to us, I was pretty much inclined to agree
 ‘ with him in opinion ; but since I have more
 ‘ fully considered the circumstances of the case
 ‘ before us, and have heard what has been said
 ‘ on the other side of the question, I must be for
 ‘ agreeing to the motion without any amendment ;
 ‘ therefore I hope the honourable gentleman will
 ‘ take the advice that has been offered him, and
 ‘ give up his amendment, notwithstanding what
 ‘ has

‘ has been said to the contrary by his worthy
‘ friend near him ; for, I think, no man can
‘ more effectually shew his disinterested regard for
‘ the good of his country, than by contributing
‘ as much as he can towards shewing to the
‘ world, that we are not only serious but unani-
‘ mous upon the present occasion.

‘ If peace, Sir, be a desirable thing, there is,
‘ in my opinion, nothing will contribute more to-
‘ wards our being able to procure a proper redress,
‘ in a peaceable manner, than our agreeing unani-
‘ mously to the motion now made to us. I make
‘ no question but that an express will this very
‘ night be sent to the court of *Spain*, and I hope
‘ that express will carry the news not only of our
‘ having agreed to this motion, but of our having
‘ unanimously agreed to it. This, I say, I hope,
‘ nay I most heartily wish it may be so ; because
‘ I am convinced, nothing can contribute more
‘ towards preventing our being obliged to come
‘ to extremities ; for I am sure no man will say
‘ but that we ought to come to extremities, ra-
‘ ther than continue any longer to sit tamely un-
‘ der the insults and indignities that have been put
‘ upon the nation, in the persons of some of our
‘ most useful subjects ; and the best way of ob-
‘ taining reparation and security by fair means, is
‘ to shew that we are resolved to have it by foul,
‘ if it cannot be otherwise obtained. If by our
‘ behaviour, upon the present occasion, it should
‘ be made apparent to the world, and particularly
‘ to the court of *Spain*, that this is our resolution,
‘ it may probably render that court a little more
‘ pliable than our negotiators have ever yet found
‘ them ; for in publick as well as private life, the
‘ surest way of living in peace and quiet, is to
‘ gain and preserve the character of being ready,
‘ upon any just provocation, to try the fate of a
‘ combat.

‘ I cannot comprehend, Sir, why it has been
‘ so much insisted on in this debate, that it is the
‘ interest of this nation to keep up a good corre-
‘ spondence with *Spain*: I am sure it is as much
‘ the interest of *Spain* to keep up a good corre-
‘ spondence with us, as it is our interest to live in
‘ friendship with them; and former experience
‘ has often shewn, that they have more reason to
‘ be afraid of a rupture with us, than we have to
‘ be afraid of a rupture with them. They have,
‘ ’tis true, of late years, set up some pretences
‘ which are inconsistent with justice and the rights
‘ of this nation: They have plundered our mer-
‘ chants and maltreated our seamen; and they
‘ have refused, or unreasonably delayed to give
‘ us any proper satisfaction. What can this be
‘ owing to? It is not owing to their being igno-
‘ rant of their own interest, or of the danger they
‘ may expose themselves to by coming to an open
‘ rupture with us. It must be owing to some un-
‘ accountable notion they have begun to entertain,
‘ that we are afraid of coming to an open rupture
‘ with them; and while they entertain such a no-
‘ tion, they will never do us justice in a peaceable
‘ manner. How they came at first to conceive
‘ such a notion I do not know; but I must say,
‘ that by our late patience and forbearance, not
‘ only they, but all the world, I believe, begin
‘ to think that we will submit to any thing rather
‘ than engage in a war; and while this opinion
‘ prevails, we may live in peace, but I am sure
‘ we cannot live at ease or in quiet. It is there-
‘ fore high time to resume the antient, and what,
‘ I hope, will always be found to be the true cha-
‘ racter of this nation. It is high time, it is even
‘ become necessary for us to do something for
‘ convincing the world that we are now, and al-
‘ ways will be, ready to vindicate our honour by
‘ force of arms, when we cannot obtain a full sa-
‘ tisfaction

‘tisfaction by peaceable means ; and upon the present occasion we can do this, only by agreeing unanimously upon the most vigorous resolutions, upon such resolutions, as ought to be the immediate consequence of the treatment our merchants and sailors have met with. This is what has already been too long delayed ; and it is what cannot now be regularly done, without our having first seen, or at least called for, those very papers which, by the amendment, are proposed to be left out of the motion.

‘ From what I have said, Sir, it will appear, that the chief, I may say the only argument made use of against our calling for the answers or memorials from *Spain*, is really one of the strongest arguments for it. The chief argument made use of against our calling for these papers is founded on a supposition, that the laying of such papers before us may interrupt the course of our peaceful negotiations, and involve the nation in a war. Now, will not our refusing, or even delaying, for such a reason, to call for papers, which are certainly extremely proper to be look’d into, upon the present occasion, be a testimony of our being terribly afraid of involving the nation in a war ? Will it not confirm the notion, which I am afraid the *Spaniards* now entertain of us ? Will it not make them conclude that we are more afraid of coming to an open rupture with them, than we are fond of doing justice to our injured merchants ? And as an account of this day’s debate will certainly be sent to the court of *Spain*, will not they presume from thence, that they may still put off agreeing to any reasonable terms, or offering any proper satisfaction ? This will of course make it necessary for us to come to extremities ; so that like those private men, who have the misfortune to have a sheepish look, or too much

‘ modesty in their behaviour, we may probably
‘ draw ourselves into a quarrel, which a little de-
‘ cent boldness might have prevented. From
‘ whence it is plain, that our agreeing to the
‘ amendment the honourable gentleman has been
‘ pleased to offer, will most probably lead the na-
‘ tion into what he seems to be most afraid of;
‘ unless he thinks, which, I am sure, is far from
‘ being the case, that we ought to bear patiently
‘ with all past injuries, and submit tamely to all
‘ future, rather than run the risk of a war.

‘ I shall grant, Sir, that no negotiation, nor
‘ any material paper relating to it, ought to be
‘ made publick, till that negotiation be brought
‘ to a period; but where neither party has a
‘ mind to amuse and deceive the other, every ne-
‘ gotiation must soon be brought to a period.
‘ The protracting of any negotiation, for a num-
‘ ber of years, is a certain sign, that one of the
‘ parties at least has a mind to amuse and deceive,
‘ as might be proved by a vast number of exam-
‘ ples; but one I cannot forbear mentioning upon
‘ this occasion, because it is an example drawn
‘ from an affair that happened between us and the
‘ very kingdom with which we are now said to
‘ be, and with which we have long been carrying
‘ on what, I am afraid, will at last appear to be a
‘ fruitless negotiation. The example I mean is
‘ that negotiation which we carried on with
‘ *Spain*, in the reign of *James I.* about the mar-
‘ riage of his son the Prince of *Wales*. That
‘ negotiation continued for near eight years, and
‘ as we have now sent commissaries, so we then
‘ sent the Prince of *Wales* and the prime minister
‘ to *Spain*, without any effect; but at last it ap-
‘ peared that the negotiation was carried on with
‘ a design to amuse us, and to keep us quiet, till
‘ the house of *Austria* found means to ruin almost
‘ entirely the Protestant interest in *Germany*; and

‘ I

‘ I do not know but their design may now be, to
‘ amuse us, and keep us quiet, till our trade be
‘ entirely ruined; which will be the case, if we
‘ go on with negotiating, and they with plunder-
‘ ing and seizing our merchant ships, but for a
‘ few years longer.

‘ For this reason, Sir, as the present negotia-
‘ tion has already continued for so many years,
‘ its not being brought to a period, is so far from
‘ being a reason for our not calling for any pa-
‘ pers relating to it, that it is a good reason for
‘ our enquiring into the negotiation itself. From
‘ the long continuance of our present negotiations
‘ with *Spain*, there is great reason to suspect they
‘ have hitherto been amusing us only; and from
‘ the circumstances of our present disputes with
‘ that nation, this suspicion must be considerably
‘ increased; for as we may be said to be plaintiffs
‘ only, and they defendants, which I am sorry
‘ for, it is their interest to amuse and protract,
‘ because upon the issue they will not only have
‘ a large sum to pay us, but must give up some
‘ valuable rights they have lately begun to lay
‘ claim to; whereas we have been of late so just
‘ and so complaisant to them, that we have al-
‘ ready left them nothing to ask.

‘ Now, Sir, if this be the case, if there is but
‘ ground to suspect that any of our inferior coun-
‘ cils have allowed themselves to be amused and
‘ deceived, it is high time for the supreme and
‘ chief council of the nation to take the negotia-
‘ tion itself into their consideration; and for that
‘ purpose to call for all papers relating to it; in
‘ order that we may give his Majesty such advice
‘ as may be thought proper upon such an occa-
‘ sion. Such a resolution can no way tend to
‘ make the court of *Spain* break off conferences
‘ with us: If they have a mind to do us justice,
‘ rather than come to an open rupture, it would

‘ make them to begin to treat with us upon a
 ‘ fair, a candid, and a serious footing, which, in
 ‘ my opinion, they have never yet done: But if
 ‘ they are really resolved to come to an open rup-
 ‘ ture, rather than do us justice, the effect of such
 ‘ a resolution would then indeed be, not to make
 ‘ them break off conferences with us, but to make
 ‘ us break off conferences with them; for as they
 ‘ are defendants only, it is their business to nego-
 ‘ tiate as long as we will negotiate with them;
 ‘ and as we are plaintiffs only, it is our business
 ‘ to insist upon a speedy and a categorical answer;
 ‘ and in case of refusal or delay, to break off all
 ‘ conferences, and betake ourselves to those
 ‘ means, which may probably prove more effec-
 ‘ tual. Can either of these be called an effect
 ‘ which we ought to be afraid of? No, Sir; even
 ‘ the last, is an effect we ought to be fond of;
 ‘ for if a sufficient redress is not to be obtained
 ‘ without a rupture, the sooner we come to it the
 ‘ better: A state of war is more eligible than the
 ‘ uncertain, mongrel state we are in at present.

‘ But we are now told, Sir, that the present
 ‘ negotiations between *Spain* and us have not con-
 ‘ tinued for above three years; and to prove this,
 ‘ the honourable gentleman who spoke last, has
 ‘ been pleased to give us a long account of the
 ‘ many treaties lately concluded between the two
 ‘ crowns. No man, ’tis true, is more able than
 ‘ he to give an account of our late treaties and
 ‘ negotiations; and I shall own my obligation
 ‘ for the exact account he has given of some of
 ‘ them; but, ’tis certain, and even that honour-
 ‘ able gentleman will, I believe, allow, that the
 ‘ *Spaniards* have been continuing their incroach-
 ‘ ments and depredations almost without inter-
 ‘ ruption for above twenty years; and he will, I
 ‘ believe, likewise allow, that as yet we have ob-
 ‘ tained no reparation for past injuries, nor any
 ‘ security

‘ security against future. What is it then appears
‘ from the long account he has given us of the
‘ late treaties between *Spain* and us? Does it not
‘ from thence appear, that we have been for a-
‘ bove twenty years not only negotiating, but
‘ actually concluding treaties, in vain, and with-
‘ out the least effect? What hopes other gentle-
‘ men may put in our present negotiation I do
‘ not know; but for my part I must declare, that
‘ I put no great hopes in any negotiation we can
‘ carry on, or any treaty or convention we can
‘ make; and I must think I am justified in this
‘ way of thinking, by the account the honourable
‘ gentleman has been pleased to give us of the late
‘ treaties concluded between *Spain* and us. By these
‘ treaties they have two or three times already
‘ expressly promised full reparation and security:
‘ They have as yet performed none of these pro-
‘ mises: What reason have we to think, they
‘ will be more faithful in the performance of any
‘ promise they may make by the next treaty, or
‘ by any future treaty? I am sure, if they do
‘ shew themselves more faithful in time to come,
‘ it will not proceed from our shewing such a
‘ backwardness in coming to an open rupture
‘ with them, as some gentlemen seem to shew
‘ upon the present occasion. No nation in the
‘ world will perform a promise, though made by
‘ the most solemn treaty, if it be against their
‘ interest to do so: They will always find pre-
‘ tences for delaying or evading it, if they think
‘ they can do so with safety; and they will al-
‘ ways think so, if they have any reason to be-
‘ lieve, that the nation, in whose favour it was
‘ made, is so impotent or so cowardly, that they
‘ dare not attempt in a hostile manner to revenge
‘ an infraction of a solemn treaty.

‘ This, I am afraid, Sir, is the case between
‘ *Spain* and us. We have been of late so passive,

‘ that, I fear, they have begun to think we will
 ‘ not, or dare not come to an open rupture with
 ‘ them; and if this be their way of thinking,
 ‘ there is nothing will alter their opinion, but a
 ‘ vigorous and well conducted war; so that by
 ‘ our long-suffering and extreme readiness to ob-
 ‘ lige them, instead of avoiding a war, we have
 ‘ already made it become necessary. They may
 ‘ grant us the favour of a new treaty; they may
 ‘ by that treaty again promise full reparation and
 ‘ security; but if they continue in the same way
 ‘ of thinking, those promises will be as ill kept
 ‘ as any of the former. In my opinion, it is
 ‘ therefore absolutely improper for us, upon the
 ‘ present occasion, to shew the least concern about
 ‘ what may be the consequences of any resolution
 ‘ proposed. An unanimous and hearty concur-
 ‘ rence in the most vigorous resolutions, may
 ‘ make them alter their opinion of us, or may
 ‘ make them think, that we are resolved to alter
 ‘ our conduct with respect to them; and this I
 ‘ take to be the only way of avoiding a war,
 ‘ which will otherwise, either now or very soon
 ‘ hereafter, become absolutely unavoidable; un-
 ‘ less we are resolved always to submit tamely to
 ‘ the same sort of injuries we have already suffer-
 ‘ ed, and to forfeit our character and our trade in
 ‘ every part of the world.

‘ I shall readily admit, Sir, that it would be
 ‘ ridiculous in us to talk big, or to come to vi-
 ‘ gorous resolutions, upon this or any other occa-
 ‘ sion, unless those resolutions were to be follow-
 ‘ ed by suitable actions. Nay, I believe, it would
 ‘ be ridiculous in us to fit out formidable squa-
 ‘ drons, or to take great armies into our pay,
 ‘ unless those fleets and those armies were to be
 ‘ furnished with proper orders or instructions for
 ‘ enabling them to follow words with blows, in
 ‘ case of any denial or unreasonable delay of jus-
 ‘ tice.

‘ tice. I know that threatning speeches or reso-
‘ lutions, as well as threatning memorials, are but
‘ words; and, I believe, the honourable gentle-
‘ man talks from experience, when he says, that
‘ such words will always be contemned, if people
‘ imagine they are not to be immediately follow-
‘ ed with suitable actions; but whatever disrespect
‘ may have been shewn to the threatning words
‘ or memorials of other councils, I hope no sign
‘ of disregard will ever be shewn to the threat-
‘ ning resolutions of a *British* Parliament. I hope
‘ no nation will ever imagine, that such words
‘ are not to be followed with suitable actions.
‘ The kingdom of *Spain*, as well as one of her
‘ next neighbours, have still reason to remember
‘ the resolutions of our Parliament in the year
‘ 170 $\frac{1}{2}$. From the behaviour of the nation at
‘ that time, and for some years after, they must
‘ conclude, that the threatning resolutions of a
‘ *British* Parliament will be followed, and speedi-
‘ ly followed, by suitable actions. They have
‘ from thence good reason to conclude, that, e-
‘ ven at this time, our words will not only be
‘ followed with blows, but that every blow will
‘ be followed by another, till we bring our ene-
‘ mies to reasonable terms; and as the justice of
‘ our cause is now as great as it was then, I am
‘ sure our enemies have no cause to expect greater
‘ favour from providence, than they met with at
‘ that time; therefore, if they have any hopes of
‘ success, it must be in our misconduct, or in the
‘ supposed weakness of our councils; and if they
‘ should bring things to extremity, I hope they
‘ will find themselves disappointed in both.

‘ With respect to the general resentment that
‘ now prevails over the whole nation, against the
‘ depredations committed by the *Spaniards*, how-
‘ ever disagreeable it may be to some gentlemen,
‘ I must declare, Sir, that it is extremely agreea-
‘ ble

‘ ble to me; and it is so, because I think it is
‘ just. I do not really know what the honourable
‘ gentleman means by saying, that it has been
‘ stirred up by those who had no title to stir it
‘ up, or who did not know what they were about.
‘ I believe it has been stirred up by none but the
‘ *Spaniards* themselves; for I have so good an o-
‘ pinion of the understanding of my countrymen
‘ in general, as to believe, that their judgment,
‘ and consequently their resentment, as well as
‘ their gratitude, depends upon the nature of
‘ things, and not upon what may be said or wrote
‘ upon any subject. For this reason, if none of
‘ the actions of the *Spanish Guarda Costa's* had
‘ been unjust, if their behaviour towards our
‘ merchants had not been cruel and barbarous as
‘ well as unjust, I believe it would have been im-
‘ possible to have stirred up such a general resent-
‘ ment as now prevails against them, though all
‘ the best pens in the nation had been as much
‘ employed to throw their actions into a malici-
‘ ous and invidious light, as some of the worst
‘ have been to palliate and excuse, or rather jus-
‘ tify their behaviour towards us. I must there-
‘ fore think, that it signifies very little who they
‘ are that endeavour to stir up the resentment of
‘ the people; because, if there is a just cause for
‘ it, their resentment will rise of course; and if
‘ there is no cause for it, no art or persuasion will
‘ be able to raise it. The resentment of the na-
‘ tion is, 'tis true, come to a very great height
‘ upon the present occasion, and if it should eva-
‘ porate before it produces the desired effect, it is
‘ easy to foresee who will deserve to be blamed;
‘ but though there are no people of a more gene-
‘ rous and forgiving temper than the people of
‘ this nation, yet, I hope, they will never allow
‘ their resentment to evaporate, I hope they will
‘ neither forget nor forgive, till they see justice
‘ done

‘ done to such of their countrymen as have been
‘ injured, and a full satisfaction made to the na-
‘ tion for the insults that have been put upon it.

‘ I have now, I hope, shewn, Sir, that if we have
‘ a mind to take the best method for preventing
‘ a war, or for obtaining redress in a peaceable
‘ manner, we ought to agree unanimously to the
‘ motion without any amendment. What the
‘ answer from the crown may be I shall not pre-
‘ tend to determine, because I know nothing of
‘ the nature of any of the papers called for; but
‘ surely our addressing to have them laid before
‘ us can be of no prejudice. Suppose his Majesty
‘ should think it inconsistent with the publick
‘ safety to lay some of those papers before us, his
‘ being obliged to tell us so can give him no dis-
‘ quiet; because it is a proper answer, and an an-
‘ swer which this house has generally been satis-
‘ fied with: It is an answer which cannot make
‘ any man, that has a weight in any foreign coun-
‘ cil, nor any man of common understanding at
‘ home, suppose that there is the least disagree-
‘ ment between his Majesty and his Parliament;
‘ because we cannot suppose the ministers of any
‘ foreign court we have to do with, nor any man
‘ of common sense at home so ignorant of our
‘ constitution, as not to know that the Parliament
‘ always leaves it to the crown to determine,
‘ what papers are fit to be laid before them; and
‘ never insist upon a sight of any paper, after the
‘ crown has told them that it is not safe to make
‘ it publick, unless when they have reason to sus-
‘ pect, that such an answer proceeds from evil
‘ counsel, and from the selfish ends of a minister,
‘ in order to conceal some criminal or false step
‘ he has been guilty of. Then, indeed, the Par-
‘ liament would probably insist upon having such
‘ a paper laid before them, and might perhaps
‘ address the King to know who advised him to
‘ send

‘ send such an answer ; and then it might be sup-
‘ posed both abroad and at home, that there was
‘ no great harmony between the King and his
‘ Parliament, or at least between his ministers
‘ and his Parliament ; but surely, neither the ho-
‘ nourable gentleman who spoke last, nor any
‘ other, has the least ground to suspect that this
‘ may be the case at present ; and if it were, it
‘ would be the strongest argument for agreeing
‘ to the motion, to the end that the Parliament
‘ might have an opportunity of removing such
‘ ministers from his Majesty’s councils ; for if
‘ such men were at the helm of our affairs,
‘ which I am sure is not the case at present, we
‘ could neither expect regard or confidence from
‘ foreign states, nor any honesty or good conduct
‘ in our own affairs, with respect either to peace
‘ or war.

‘ Thus, I think, it appears, Sir, that our call-
‘ ing for the memorials or answers from *Spain* can
‘ be attended with no bad consequence, even sup-
‘ posing them to be such as cannot be safely com-
‘ municated ; and I have shewn, that our not
‘ calling for them may be attended with the most
‘ fatal consequence, by confirming the court of
‘ *Spain* in the notion they seem to entertain of
‘ us, that we are afraid, and will rather submit
‘ to any thing, than come to an open rupture
‘ with them. But we are told, we ought not to
‘ call for them, because we have now no occasion
‘ for them ; and to shew we have no occasion for
‘ them, it is said, that in pursuance of the reso-
‘ lution we have come to, we cannot regularly,
‘ at first, enter into any enquiry but that of the
‘ truth of the facts set forth in the petitions now
‘ presented to us. This I am surprized to hear
‘ from a gentleman so well acquainted with the
‘ facts set forth in the petitions, and so much a
‘ master of the custom and methods of proceed-
‘ ing

‘ ing in Parliament. Sir, we have no occasion
‘ for such an enquiry but for form’s sake merely.
‘ We all know the facts are true ; and if we pro-
‘ ceed no further, I shall be sorry we have gone
‘ so far ; for we shall then only leave upon re-
‘ cord, in the journals of Parliament, a testi-
‘ mony of the insults and injuries we have tamely
‘ suffered, which is a testimony that can no way
‘ contribute to the honour of the nation ; and
‘ therefore we ought to be so far from recording,
‘ that, if it were possible, we ought to prevent
‘ its being handed down to posterity. If we look
‘ but into the prayer of the petitions presented to
‘ us, we must see we have something else to do,
‘ than merely to enquire into the truth of facts.
‘ The petitioners beseech us, *To provide such a*
‘ *timely and adequate remedy as may put an end to*
‘ *all insults and depredations on the British subjects ;*
‘ *and to procure such relief for the unhappy suffer-*
‘ *ers, as the nature of their case, and the justice*
‘ *of their cause, require.* Are we not then, in
‘ pursuance of our resolution, to endeavour to
‘ provide such a remedy, and procure such re-
‘ lief? And is it possible for us to determine
‘ what may be a proper remedy, what may be a
‘ proper relief, whithout seeing what the court of
‘ *Spain* have offered, and what they pretend in
‘ justification of themselves?

‘ There are but two ways, Sir, of providing
‘ a remedy, or procuring any relief: It must be
‘ done either by force of arms, or by negoti-
‘ ation ; and which of these methods may be
‘ most proper is what we are to determine, it is
‘ what we have in some measure already resolved
‘ to determine, by resolving to take the petitions
‘ into our consideration ; for this purpose we must
‘ necessarily examine into the whole of our past
‘ negotiations, whether they appear in the form
‘ of negotiation, or in the form of treaty, as yet
‘ neither

‘ neither fulfilled, nor any way observed. Which
‘ of those methods may, upon the enquiry we
‘ have resolved on, appear to be most proper, I
‘ shall not now take upon me to determine ; but
‘ in this affair we have already made use of so
‘ much ink and paper without any effect, that I
‘ am afraid it will appear necessary for us to begin
‘ to make use of another sort of ammunition.
‘ We have already found there is no trust to be
‘ put even in treaties, and therefore, after we
‘ have thoroughly examined into this affair, it
‘ may be the opinion of this house, that we must
‘ now have recourse to that, in which we have
‘ always found, in which, I hope, we always
‘ shall find, our chief and greatest security, I
‘ mean, Sir, the weight of our metal, and the
‘ sharpness of our swords.

‘ Now suppose, Sir, we should come to such a
‘ resolution : Suppose we should upon enquiry
‘ find that no effectual remedy can be provided,
‘ nor any sufficient relief procured, but by force
‘ of arms ; that resolution, to be sure, is to be
‘ offered to his Majesty by way of advice. In so
‘ doing we incroach upon none of the preroga-
‘ tives of the crown : We do that only which is
‘ our duty ; for we are obliged to offer what we
‘ think the most wholesome advice to our Sove-
‘ reign. Neither do we communicate to the pub-
‘ lick the secrets of any negotiation, while it con-
‘ tinues, or ought to continue, in the shape of a
‘ negotiation ; we only give our opinion that it
‘ ought not to be continued in that shape any
‘ longer ; and surely, if the Parliament think so,
‘ they have a right to say so, and to communi-
‘ cate their thoughts, by way of address, to his
‘ Majesty. The power of making peace or war
‘ may be solely lodged in the crown ; but the
‘ Parliament certainly have a right to advise and
‘ address against the continuance of peace, when
‘ they

‘ they think it cannot be continued with honour,
 ‘ as well as they have a right to advise and ad-
 ‘ dress against a war, which they think cannot be
 ‘ prosecuted with advantage. This is, in my o-
 ‘ pinion, the principal enquiry we are to make,
 ‘ when we take these petitions into our considera-
 ‘ tion : We are to enquire, whether there be any
 ‘ probability of obtaining what the petitioners
 ‘ pray for, in a peaceable manner ; and upon such
 ‘ an enquiry, I am sure we can come to no deter-
 ‘ mination, without seeing those papers that are
 ‘ proposed by the amendment to be left out of
 ‘ the motion ; therefore, I hope, the honourable
 ‘ gentleman will withdraw his amendment, and
 ‘ leave it to his Majesty, who is the only proper
 ‘ judge, to determine, whether the papers now
 ‘ moved for, are such as may be safely commu-
 ‘ nicated to the house.’

The next that spoke was *Henry Pelham*, Esq;
 whose speech was in substance thus :

‘ Mr. Speaker,

‘ Sir, I am sorry the honourable gentleman who Mr. Pel-
 ‘ spoke last, did not continue in his first opinion ; ham's speech.
 ‘ for I am always fond of having an opportunity
 ‘ to join with him in the same sentiments ; but
 ‘ upon the present occasion I cannot ; because, I
 ‘ think, the honourable gentleman who proposed
 ‘ the amendment, gave such reasons for what he
 ‘ proposed, as neither have, nor, in my opinion,
 ‘ can be answered. I shall admit, Sir, that it is
 ‘ as necessary for a nation to preserve its character
 ‘ among neighbours, as it is for a private man ;
 ‘ but whatever opinion the court of *Spain* may
 ‘ entertain of our courage or of our unwilling-
 ‘ ness to come to an open rupture with them, I
 ‘ shall never be for doing any thing that may
 ‘ tend towards involving this nation in an un-
 ‘ necessary

‘ necessary war, for the sake only of making that
‘ nation believe we are no way afraid of them.
‘ The character of this nation is already so well
‘ established, that we have no occasion for com-
‘ ing to any blustering resolutions, or to make use
‘ of any sort of hectoring expressions, in order to
‘ convince the world that we have courage ; and
‘ if upon any false and ill-grounded opinion of
‘ our timidity, the *Spaniards* should absolutely re-
‘ fuse to do us justice, we may easily persuade
‘ them, that our patience proceeded not from our
‘ fear but from our prudence ; but this is not to
‘ be done by any resolutions of this house ; it is
‘ to be done only by fleets and armies, after his
‘ Majesty has told us, that he finds nothing else
‘ will prevail. For this reason, as long as there
‘ is the least ground to hope, that the court of
‘ *Spain* may be prevailed on by peaceable means
‘ to give ear to reason, we ought not to do any
‘ thing that may tend to interrupt or retard any
‘ negotiation, that may be carrying on for that
‘ purpose : And that we are not as yet entirely
‘ destitute of such hopes, must be presumed ; be-
‘ cause, we may be assured, that as soon as this
‘ comes to be our case, his Majesty will apply
‘ in the most solemn manner to his Parliament,
‘ both for advice and assistance.

‘ As for the last answer or memorial from
‘ *Spain*, I do not pretend, Sir, to know what it
‘ is ; but I have been assured it can no way be
‘ look’d on as a final answer. It is so far from
‘ being a flat denial of justice, that it seems to
‘ shew an inclination towards doing justice, as
‘ soon as the disputed facts can be cleared up ;
‘ and I am told it may admit of such explana-
‘ tions, as may put an end to all our differences
‘ in a peaceable manner : Nay, I have good rea-
‘ son, I think, to suppose it such a one ; for if it
‘ had been otherwise, I am convinced his Majesty
‘ would

‘ would have directly ordered it to have been laid
‘ before the house. Suppose it then such an an-
‘ swer as, by proper explanations, may lay a
‘ foundation for our obtaining full satisfaction and
‘ security, in a peaceable manner; I should be
‘ glad to know, how those explanations are to be
‘ obtained. The only way of obtaining any such
‘ must be, by a new memorial from this court to
‘ that of *Spain*, by way of reply to their last an-
‘ swer; but if we order their last answer to be
‘ laid before this house, we shall, in a great mea-
‘ sure, put it out of his Majesty’s power to send
‘ any such reply; for in that case, I believe,
‘ none of his Majesty’s servants would venture to
‘ advise him to send a reply, or to give their o-
‘ pinion what sort of reply ought to be sent, un-
‘ til the Parliament had thoroughly examined into
‘ the affair, and had come to such resolutions as
‘ they should think proper upon the occasion.
‘ This the Parliament may not be able to do till
‘ towards the end of the session, during which
‘ time the negotiation between the two courts
‘ must be at an entire stand; whereas, if it be
‘ left to his Majesty, to send such a reply as he
‘ in his great wisdom may think most proper, the
‘ negotiation may before that time be brought to
‘ some period or another; and in our present cir-
‘ cumstances, I am sure, nothing can be of ad-
‘ vantage to this nation, that will necessarily, but
‘ needlessly, occasion a delay in our being able to
‘ bring the negotiation to a period.

‘ From hence, Sir, I think it is evident, that
‘ our calling for the last memorial from *Spain*
‘ would be imprudent; and whatever necessity
‘ there may be for our seeing the last, or any of
‘ the memorials from the court of *Spain*, before
‘ we can come to any final determination, re-
‘ lating to the petitions we have resolved to take
‘ into our consideration, yet that necessity neither
‘ does,

‘ does, nor can now appear ; and therefore, I do
‘ not think there is, as yet, the least occasion for
‘ our calling for any of these memorials. In the
‘ course of our deliberations, it may appear ne-
‘ cessary for us to have all those memorials laid
‘ before us, and when that does appear, I shall
‘ be ready to join with other gentlemen in any
‘ proper motion for that purpose ; but till then, I
‘ think it ought to be delayed, because our call-
‘ ing for them, especially the last, immediately,
‘ may be attended with some inconvenience, and
‘ because such a delay can but very little, if any
‘ way, retard our proceedings with respect to the
‘ affair now before us. By the resolution you
‘ have come to, it will be near a fortnight before
‘ you begin to take this affair into your con-
‘ sideration ; and as some things may intervene,
‘ that may oblige you to put off the entering
‘ upon it for some days longer ; and likewise, as
‘ you may meet with interruptions in the course
‘ of your enquiry ; I must reckon it will be near
‘ three weeks, it may be more, before you can
‘ know positively, whether there will be any ne-
‘ cessity for your having any of those memorials
‘ laid before you ; therefore you may, I think,
‘ without the least inconvenience, delay calling
‘ for any of them for two or three weeks at least.
‘ In the mean time, his Majesty may have sent to
‘ the court of *Spain* a reply to their last answer,
‘ and then your calling for that answer can no
‘ way interrupt the course of the negotiation, nor
‘ can it be attended with such dangerous conse-
‘ quences, as your calling for it now may be at-
‘ tended with : Nay, I do not know but that if
‘ a reply be immediately sent, demanding the ne-
‘ cessary explanations, and insisting upon a cate-
‘ gorical answer, which I am convinced his Ma-
‘ jesty will do with all possible dispatch ; I do not
‘ know, I say, but that in this case, a new me-
‘ morial

‘ memorial may arrive from the court of *Spain*, before it be necessary for you to come to any resolutions relating to this affair; and that new memorial will certainly have a great influence upon your resolutions, as well as upon his Majesty’s future conduct with regard to *Spain*.

‘ I shall grant, Sir, that in case of our calling for any papers, it is a proper enough answer from the crown, to tell us, that they are of such a nature that they cannot be safely communicated; but on the other hand, I believe it will be allowed, that such an answer from the crown is very unusual; and the reason of its being so, is, because both houses of Parliament have generally taken care to call for no papers but such as might, in all appearance, be safely communicated. Now, tho’ I do not pretend to know what is in the last memorial or answer from *Spain*, yet from its having arrived so lately, we may, I think, with probability, if not with certainty, conclude, that it is a paper which ought not yet to be made publick; and therefore, however proper such an answer from the crown may be, I must think such an application from this house would not be altogether so proper at present. For this reason, I think, it would be more agreeable to the custom of Parliament, and more proper for us, not to call for any of the memorials from *Spain*, but to leave it entirely to his Majesty, to order such of them to be laid before us, as he shall think may be safely communicated; and this he will certainly do in due time, if there be any thing in any of these memorials, that may require the consideration of Parliament.

‘ After what I have said, Sir, I hope gentlemen will excuse me if I say, that I think it would be rash and precipitate in us, to call for all, or any of these memorials at present; and

‘ tho’ we had them all before us, I must think,
‘ it would be still more rash in us to come to any
‘ violent or threatning resolutions, unless his Ma-
‘ jesty had before told us, that he had no farther
‘ hopes of obtaining full satisfaction in a peace-
‘ able manner ; for even in private life, let a man
‘ be never so much inclined to do justice, or to
‘ make reparation, he would not like to be pub-
‘ lickly threatned into it : The attempting to
‘ make use of such a method, would probably
‘ make him stand upon a punctilio of honour,
‘ and refuse, at least for that time, to do what
‘ he would have done with great alacrity, if it
‘ had been required of him in a discreet and pru-
‘ dent manner.

‘ ’Tis true, Sir, the negotiations between *Spain*
‘ and us have already continued too long, and it
‘ must be granted, they have not as yet had any
‘ great effect ; but if we consider the multitude
‘ of complaints that are upon both sides, (for the
‘ court of *Spain* have their complaints, and have
‘ demands to make, as well as we) and the great
‘ distance of the places where our mutual com-
‘ plaints are to be examined, we cannot think it
‘ strange, that our negotiations have not, as yet,
‘ been brought to a final issue. I do not mention
‘ this, Sir, with a design to make any excuse for
‘ the behaviour of the *Spaniards* towards us, or
‘ to justify all the delays they have been guilty
‘ of : I mention it only to shew, that, notwith-
‘ standing the length of the negotiations between
‘ us, we ought not to conclude, that the court of
‘ *Spain* designs only to amuse and deceive us ;
‘ but on the contrary, that we ought to presume,
‘ there may still be some hopes of our being able
‘ to obtain, in a peaceable manner, as much as
‘ we can expect by the most successful war ; and
‘ if this can be done, it will certainly be a great
‘ saving both of men and money to the nation.
‘ That

' That his Majesty thinks he has still good reason
 ' to entertain some such hopes, we may be assured
 ' of, otherwise he would have provided, before
 ' this time, for obtaining by force, what he found
 ' he could not obtain by peaceable means, and
 ' would have applied to Parliament in the most
 ' solemn manner for that purpose. Therefore, ra-
 ' ther than do any thing that may put an end to
 ' all such hopes, I think we ought to return
 ' thanks to his Majesty, and extol the wisdom
 ' and goodness he has hitherto shewn, by putting
 ' a force upon his natural inclinations, and sacri-
 ' ficing that dazzling glory which is obtained by
 ' victories and triumphs, to that solid and true
 ' glory, which is the just reward of those Kings,
 ' who make the preservation of the lives and
 ' properties of their subjects, their chief and
 ' greatest concern.'

After *Henry Pelham, Esq;* *Sir John Barnard*
 spoke to the effect as follows, *viz.*

' Mr. Speaker,
 ' Sir, I must begin with observing, that the
 ' character of a nation is very different from that
 ' of a private man. A private man that has once
 ' established a reputation for wisdom and courage,
 ' may easily, and generally does, preserve that
 ' reputation as long as he lives; but whatever re-
 ' putation a state or kingdom may acquire at any
 ' one time, is so far from continuing as long as
 ' that state or kingdom subsists, that on the con-
 ' trary, the reputation acquired under one King,
 ' or one administration, always expires as soon as
 ' that King or administration expires; and the
 ' successors must always begin afresh to acquire
 ' and establish a character for the nation under
 ' their administration. A nation may acquire the
 ' highest character, the greatest esteem, under
 ' one

*Sir John
 Barnard's
 speech.*

‘ one reign or administration, and yet sink into the
 ‘ lowest contempt under the very next. This
 ‘ was the case of this nation, in the reigns of *Ed-*
 ‘ *ward* I. and *Edward* II. in the reigns of *Ed-*
 ‘ *ward* III. and *Richard* II. in the reigns of
 ‘ *Henry* V. and *Henry* VI. and in the reigns of
 ‘ our wise Queen *Elizabeth* and her successor
 ‘ *James* I.

‘ It is in vain therefore, Sir, to pretend, that
 ‘ the character of this nation is established, or
 ‘ that we can now depend upon the character we
 ‘ acquired in any former reign, or under any for-
 ‘ mer administration: For our present character,
 ‘ we cannot look beyond the date of the present
 ‘ administration. Now, as his Majesty’s name
 ‘ ought never to be mentioned in any of our de-
 ‘ bates; as nothing that is said by any gentleman
 ‘ in this house, can be supposed to relate to the
 ‘ King, but to the ministers for the time being
 ‘ only; I may therefore beg leave to desire gen-
 ‘ tlemen to lay their hands upon their hearts and
 ‘ declare, what sort of character they think this
 ‘ nation has acquired under our present administra-
 ‘ tion, which, I must observe, began before his
 ‘ Majesty’s accession, and began with a treaty of
 ‘ peace between *Spain* and us, which I never did,
 ‘ nor ever shall entirely approve of. If upon this
 ‘ footing, gentlemen will examine into the charac-
 ‘ ter we may at present be supposed to have
 ‘ among our neighbours, I am afraid it will be
 ‘ found not to be a very advantageous one, at
 ‘ least with respect to our courage, or readiness to
 ‘ try the fate of war, in case of any injury or in-
 ‘ sult’s being put upon us.

‘ I shall grant, Sir, that, generally speaking,
 ‘ peace is better than war; but it is not always
 ‘ so: A dishonourable peace is worse than a de-
 ‘ structive war: It is better for a nation, as well
 ‘ as a private man, to cease to be, than to subsist
 ‘ in

‘ in the wretched state of suffering continual in-
‘ fults and indignities ; and if under the present
‘ administration, we have lost a great part of the
‘ character we gained in former times ; if our
‘ neighbours have begun to think, that we will
‘ submit to any indignities, that we will bear with
‘ any infractions of treaties, rather than engage in
‘ a war, which I hope is not the case, we may
‘ cajole and flatter ourselves with obtaining redress
‘ by peaceful negotiations or treaties, but while
‘ our neighbours entertain such a notion of us, I
‘ am fully convinced it will be impossible. If
‘ our enemies are not yet fully prepared to ruin
‘ us, if they think they may soon have a better
‘ opportunity than the present for giving us the
‘ finishing blow, they may for some time amuse
‘ us with negotiations or congresses, they may
‘ even vouchsafe to grant us a convention or a
‘ treaty ; but these will appear at last to be no-
‘ thing but expedients, artfully contrived by
‘ them, and foolishly or treacherously submitted
‘ to by us, for making our ruin the more com-
‘ plete and the more inevitable. During these
‘ very negotiations, and notwithstanding the trea-
‘ ties they may vouchsafe to grant us, being con-
‘ vinced they may do it with impunity, they will
‘ continue to put the same indignities upon us, till
‘ we are reduced so low by our sufferings, that,
‘ like a man who has too long neglected a wasting
‘ distemper, we shall not have sufficient strength
‘ left for making use of that remedy, which, if
‘ it had been applied in time, would have pro-
‘ duced a certain cure.

‘ I shall not pretend, Sir, to be a competent
‘ judge of our conduct for several years past : I
‘ shall not pretend to say positively what we have
‘ done, or what we might have done ; but, in
‘ my opinion, we have had several opportunities
‘ for inducing, if not compelling, the *Spaniards*,

‘ and likewise some other of our neighbours, to
 ‘ give us full satisfaction for injuries past, which
 ‘ would have been the best security against any
 ‘ such for the future: Nay, I am of opinion, we
 ‘ might have prevented most of the indignities
 ‘ put upon us, without involving the nation in a
 ‘ war. If my information be right, our neigh-
 ‘ bours the *Dutch* have fallen upon a way of pre-
 ‘ venting such indignities, without involving
 ‘ themselves in a war: I shall not affirm it for a
 ‘ truth, but we have been told, that they have
 ‘ lately taken a method with the *Spanish Guarda*
 ‘ *Costa’s*, which will make them a little more cau-
 ‘ tious, at least, with respect to them, in time to
 ‘ come: They have fitted out ships proper for
 ‘ the purpose, and when they have found *Guarda*
 ‘ *Costa’s* not properly commissioned, or such as
 ‘ had seized or plundered any of their ships, con-
 ‘ trary to the law of nations, and to the instruc-
 ‘ tions they had from those who gave them their
 ‘ commissions, they have treated them as pirates,
 ‘ and have hung them up at the yard’s arm as
 ‘ soon as taken. This is what has been com-
 ‘ monly reported; and it calls to my mind a sto-
 ‘ ry I have heard of a gentleman, who received
 ‘ a box on the ear from a famous bully at a coffee-
 ‘ house. The gentleman, it seems, had not so
 ‘ much courage as a gentleman ought to have,
 ‘ and therefore took it patiently: He thought
 ‘ only of obtaining satisfaction in a peaceable man-
 ‘ ner; but soon after he heard, that the same
 ‘ bully, for such another piece of behaviour, had
 ‘ been caned and kick’d out of the coffee-room,
 ‘ by another gentleman. God so! says the pol-
 ‘ troon, if I had known, that fellow would have
 ‘ been treated in such a manner, I should not
 ‘ have taken the blow he gave me so patiently.

‘ All nations, Sir, are apt to play the bully
 ‘ with respect to one another; and if the govern-
 ‘ ment

‘ ment or administration of a nation has taken
‘ but one insult tamely, their neighbours will
‘ from thence judge of the then character of that
‘ nation, without any regard to their behaviour
‘ under a former government or administration ;
‘ and will accordingly treat them as bullies do
‘ noted poltroons ; they will kick and cuff them
‘ upon every occasion : And as a private man,
‘ who has once got the character of a poltroon,
‘ can never wipe off that character, or avoid such
‘ treatment, but by drubbing those who have
‘ dared to insult him, I am afraid it is now be-
‘ come in vain for us to expect to recover our
‘ character, so as to obtain satisfaction for injuries
‘ past, or to avoid meeting with future injuries,
‘ by any peaceable means : At least, I am sure,
‘ it is not fit for us at present to shew ourselves
‘ so anxious about avoiding a war, as our agree-
‘ ing to the amendment now proposed will clear-
‘ ly shew us to be.

‘ Having thus, Sir, shewn, that we have no
‘ former character to depend on, and that nothing
‘ will more probably make a war necessary than
‘ our appearing any way anxious to avoid it, I
‘ shall next examine some of the arguments made
‘ use of, against our calling for any of the memo-
‘ rials or answers from *Spain*. As to the last an-
‘ swer from that court, which we are told arrived
‘ but a few days ago, though it certainly might
‘ and ought to have arrived several weeks ago, it
‘ has been said, that we ought not to call for it,
‘ because by so doing, we shall prevent his Ma-
‘ jesty’s being able to send any reply, till after
‘ we have examined into the affair before us, and
‘ have come to such resolutions as may be thought
‘ proper upon the occasion. Sir, for this very
‘ reason we ought, in my opinion, to call for it.
‘ I think no reply ought to be sent but by the
‘ advice of Parliament. The affair is now
‘ brought,

‘ brought, and regularly brought, before Parlia-
‘ ment; and I hope no minister will advise his
‘ Majesty to send a reply, till he knows the reso-
‘ lutions of Parliament. If any minister does, I
‘ am sure it will not be prudent: It will be a
‘ piece of the highest disrespect he can shew to a
‘ *British* Parliament; and whatever pusillanimity
‘ he may have been guilty of with respect to fo-
‘ reign affairs, I am sure there will in that case
‘ be no reason to accuse him of pusillanimity with
‘ respect to domestick. Our obtaining redress,
‘ or our obtaining a speedy redress, does not de-
‘ pend upon our speedily sending a reply: It de-
‘ pends upon our sending a reply of some weight.
‘ Our ministers have already sent many memori-
‘ als, many replies, without any effect: Our bu-
‘ siness is now to send a reply that will have some
‘ more weight than any hitherto sent; and surely
‘ a reply from his Majesty, founded upon the
‘ resolutions of his Parliament, will have more
‘ force than any reply he can send by the advice
‘ of his ministers only. Therefore, considering
‘ how little regard has hitherto been shewn by
‘ the court of *Spain*, to the memorials of our mi-
‘ nisters, I must think it high time even for them,
‘ to take the aid of Parliament, and to wait for
‘ the resolutions of Parliament, before they advise
‘ his Majesty to send any reply to the last answer
‘ from *Spain*; and for this reason I should think,
‘ that our ministers, of all others, would be the
‘ most fond of having that answer laid before
‘ Parliament.

‘ I am surprized, Sir, to hear it said, that the
‘ necessity of our seeing all the memorials or an-
‘ swers from *Spain*, relating to the affair before
‘ us, does not now appear. It appears, Sir, up-
‘ on the very face of every one of the petitions
‘ we have resolved to take into our consideration.
‘ Does not every one of them expressly affirm,
‘ *That*

' That the Spaniards have unjustly seized and made
 ' prize of our merchant ships, in the destined course
 ' of their voyages to and from the British Colonies?
 ' Do not we know, that an unlawful trade may
 ' be carried on by our merchant ships in the *Spa-*
 ' *nish West-Indies*; and that if any of them are de-
 ' tected in the carrying on of such a trade, they
 ' may not only be justly seized, but justly con-
 ' demned and made prize of? And do not we
 ' know that the *Spaniards* pretend, all or most of
 ' the ships they have seized, were not in the de-
 ' stined course of their voyages to and from the
 ' *British Colonies*, but were detected and proved
 ' to have been carrying on an unlawful trade up-
 ' on their coasts? Shall we then proceed to de-
 ' termine, that any of our merchant ships have
 ' been unjustly seized and made prize of by the
 ' *Spaniards*, without examining what the *Spani-*
 ' *ards* have to say in their own justification? Such
 ' a method of proceeding would be inconsistent
 ' with the justice and dignity of a *British* house
 ' of Commons; and as we can no way examine
 ' into what the *Spaniards* have to say in their own
 ' justification, but by perusing the memorials
 ' they have transmitted to this court, therefore
 ' upon the very face of the petitions we have re-
 ' solved to take into our consideration, it appears
 ' necessary for us to see every one of these me-
 ' morials, before we can come to any resolution
 ' relating to the petitions now before us.

‘ As I have shewn, Sir, that it is absolutely
‘ necessary for us to see all the memorials or an-
‘ swers from *Spain*, before we can proceed to any
‘ determination or resolution relating to the affair
‘ we have resolved to enquire into, I think it ve-
‘ ry needless to dispute, whether or no there be
‘ any appearance of its being safe to communicate
‘ all or any of them to this house. If his Majesty
‘ should think it unsafe to communicate any of
‘ them,

‘ them, we must put off our enquiry, till his Ma-
‘ jesty finds that he may safely enable us to pro-
‘ ceed in it, by laying all the proper materials
‘ before us; but surely, before we put off our en-
‘ quiry, we ought to know from the crown itself,
‘ that it is not yet safe to lay all the proper ma-
‘ terials before us. For my part, I think we have
‘ no such measures to keep with regard to *Spain*,
‘ as some gentlemen seem to think necessary. I
‘ put no confidence in any negotiation we can
‘ carry on, no nor in any treaty we can conclude.
‘ I think our past behaviour has already made a
‘ war unavoidable; and I hope his Majesty has
‘ taken care that this nation shall be as power-
‘ fully supported by proper allies, in defence of our
‘ own rights and the rights of mankind, as *Spain*
‘ can expect to be, in the incroachments she has
‘ made upon us, and upon the known rights of
‘ all nations; I mean an undisturb’d communica-
‘ tion between the different parts of their own
‘ dominions, and a free navigation in the open
‘ seas.

‘ For this reason, Sir, I cannot think it would
‘ be in the least dangerous to the nation, whate-
‘ ver it might be to some particular men, if all
‘ the memorials, nay all the transactions, that
‘ have passed between *Spain* and us, for these
‘ twenty years, were printed and published, as
‘ well as communicated to this house; nor can I
‘ think it would be rash and precipitate in us, to
‘ come to a resolution, by way of advice to his
‘ Majesty, that war ought to be declared against
‘ *Spain*, if, within a short limited time, they did
‘ not promise satisfaction and security in the most
‘ express and the most explicit terms.

‘ This, Sir, would neither be imprudent nor
‘ indiscreet. In private life, if a man has been
‘ often and for several years solicited, in the most
‘ complaisant manner, to do justice, he ought
‘ to

‘ to be, he must be threatned at last, whatever
‘ may be the consequence: If he should then in-
‘ discreetly stand upon a punctilio of honour, a
‘ court of law would compel him not only to do
‘ justice, but to pay the costs of a suit, which he
‘ had brought upon himself merely by his own
‘ obstinacy; and I hope the fleets and armies of
‘ this kingdom will always be as effectual against
‘ obstinate foreigners, as the officers of justice can
‘ be against obstinate subjects.

‘ I am sorry, Sir, to hear the multitude of our
‘ complaints made use of as an argument for pro-
‘ longing our negotiations. Every one knows,
‘ that the length of our negotiations has added
‘ greatly to the number of our complaints; and
‘ now, it seems, the multitude of our complaints
‘ ought to prevail with us to continue our nego-
‘ tiations yet a while longer. At this rate our
‘ negotiations can never come to an end; for
‘ while they continue, the number of our com-
‘ plaints will certainly increase daily, because our
‘ subjects, as long as they have any thing to risk,
‘ will be making use of those rights they think
‘ they are intitled to, and this will give their
‘ enemies a pretence and an opportunity to plun-
‘ der them. Therefore the multitude of our
‘ complaints should rather be a reason for cutting
‘ short our negotiations at any rate, than for
‘ drawing them out to still a farther length. We
‘ had better give up those rights that are in dis-
‘ pute, (though I must say he will be a bold mi-
‘ nister that will advise it) than continue them in
‘ suspense, as a snare for making our subjects a
‘ prey to their enemies.

‘ Then, Sir, as to the distance of the places
‘ where our complaints are to be examined, sure-
‘ ly it can be no excuse for the *Spaniards* not ha-
‘ ving made satisfaction, with respect to those
‘ captures at least, which they themselves have
‘ above

‘ above eight years since acknowledged to have
‘ been unjust. This too may be made a reason
‘ for an eternal negotiation, as well as for length-
‘ ening our negotiations yet a while longer; for
‘ if the distance of places be an excuse for not
‘ having made satisfaction for an injury done ten
‘ years ago, and acknowledged as such above
‘ eight years ago, it will be an excuse for delay-
‘ ing for ten year to come, to make satisfaction
‘ for the injuries done last year, and so *in infini-*
‘ *tum*; and as we are not, it seems, to have full
‘ satisfaction for any injury done, till the whole
‘ be adjusted and ascertained at the end of the
‘ negotiation, we must never at this rate expect
‘ full satisfaction for any injury past, present, or
‘ future.

‘ What complaints, or what demands, the *Spa-*
‘ *niards* may have against us, as I know nothing
‘ of them, I shall not pretend to say, whether
‘ they are frivolous or not; I am apt to suspect
‘ they are; but, Sir, if they are not, they may
‘ then be a pretence, and a just pretence too, for
‘ the injuries they have done to us, or at least for
‘ their not having made a full reparation; there-
‘ fore those very complaints or demands ought to
‘ come under our consideration at this juncture;
‘ and as they can appear no where but in those
‘ memorials, which have been transmitted from
‘ the court of *Spain* to this court, they furnish us
‘ with a new and an additional reason for shew-
‘ ing, that it is absolutely necessary for us to see
‘ all the memorials from *Spain*, before we can
‘ properly come to any resolution relating to the
‘ affair we have resolved to enquire into.

‘ Thus, Sir, in every light, in which the ques-
‘ tion can be put, it appears, it now appears, ne-
‘ cessary, to have all the memorials or answers
‘ from *Spain*, laid before us, if we are seriously
‘ inclined to get at the bottom of the affair we
‘ have

‘ have resolved to enquire into: But I must say,
‘ that for my own part, I am very easy, whether
‘ any one of these memorials be laid before us;
‘ because there is one fact suggested in one of the
‘ petitions, which to me appears a sufficient cause
‘ for an immediate declaration of war, and will
‘ therefore, in my opinion, make it unnecessary
‘ for us to enquire into any of the other facts set
‘ forth in the petitions now before us. In the pe-
‘ tition presented by the merchants trading to our
‘ plantations, it is suggested, *That the crews of*
‘ *some of our merchant ships are now in slavery in*
‘ *Old Spain, where they are most inhumanly treated.*
‘ This, Sir, is an indignity, a barbarous cru-
‘ elty, which a simple release of the prisoners
‘ cannot excuse. Nothing but vengeance can at-
‘ tone for such a cruel, such an unchristian beha-
‘ viour. It is a cruelty which the court of *Spain*
‘ cannot pretend to palliate or excuse, by impu-
‘ ting it to the misbehaviour of their governors in
‘ *America.* The government of *Spain* itself must
‘ be loaded with it; and as it cannot be justified
‘ by any pretence, or by any memorial whatso-
‘ ever, if it be proved, which I believe it will, I
‘ shall think it a sufficient reason for giving it as
‘ our opinion, that war ought to be immediate-
‘ ly declared against that kingdom, without en-
‘ quiring into any of the other facts complained
‘ of, or seeing any of the memorials or answers
‘ they have sent us. Therefore, as I have said,
‘ I am extremely easy, whether any of the *Spanish*
‘ memorials be laid before us or not; but if, out of
‘ an ill-timed complaisance for the court of *Spain*,
‘ and for fear of doing any thing that may set them
‘ upon their punctilio’s of honour, we now refuse
‘ to call for any of these memorials, I am afraid
‘ this poor nation can at present neither expect to
‘ meet with reparation for past injuries, nor can it
‘ expect a proper security against being exposed to
‘ injuries

‘ injuries of the same nature, for some time to come.’

Sir *Charles Wager* spoke next upon this subject, thus.

‘ Mr. Speaker,

Sir *Charles Wager's*
speech.

‘ Sir, Whatever the present character of this nation may be, I think we ought to do nothing rashly, either for preserving or recovering it. A man of real courage and good sense is never jealous of his character; and therefore is not so apt to take things amiss, or so hasty in resenting affronts, as one who has only a brutish temerity, or a false and affected courage. I do not know but that all the facts mentioned in the petitions may be proved: I believe they will; but if they were, I should not take upon me to say, whether or no they could justify an immediate declaration of war against *Spain*. This is a judgment which no subject ought to make, because the judging and determining in such a case, is, by our constitution, lodged in the crown only. But so far I may say, that whatever may be in these facts, whatever may be our case at present, we ought not to shew our teeth till we can bite.

‘ No nation in the world, I believe, Sir, ever declared war, till they were ready to enter upon action; and as we at present have neither a fleet nor an army ready, and sufficient for attacking such a powerful nation as *Spain*, I think we ought not as yet to do any thing, that may look like a declaration of war, or even like a resolution to declare war. I believe no gentleman will suppose, that I can be induced, either by interest or inclination, to be against a war, when I think it is become necessary: On the contrary, I shall then be as much for it, and as ready to

‘ take

‘ take my share in it, as any man in the king-
 ‘ dom ; but if a war were now become absolutely
 ‘ necessary, I should not be for giving any pub-
 ‘ lick testimony of our being resolved upon a rup-
 ‘ ture, till we were fully prepared and just ready
 ‘ to enter upon action. Every man knows we are
 ‘ not so at present ; and as our calling for all the
 ‘ memorials transmitted hither from *Spain*, would
 ‘ be a sort of publick intimation, that we are re-
 ‘ solved upon a rupture, I must therefore be for
 ‘ agreeing to the amendment, and leaving it to his
 ‘ Majesty to communicate those memorials to us,
 ‘ when he thinks it safe and convenient ; which
 ‘ he may do, and certainly will do, without any
 ‘ address from us for that purpose.’

The question was then put upon the amend-
 ment proposed by Sir *Robert Walpole*, and being
 carried in the affirmative, the motion, as thus
 amended, was agreed to, and was as follows.

Resolved,

That an humble address be presented to his
 Majesty, that he will be graciously pleased to give
 directions to be laid before this house, copies or
 extracts of the several petitions, representations,
 memorials and all other papers, relating to the
Spanish depredations upon the *British* subjects,
 which have been presented to his Majesty, or de-
 livered to either of his principal secretaries of
 state, since *Midsummer* last ; together with copies
 or extracts of such memorials or representations,
 as have been made, either to the King of *Spain*,
 or his ministers, and of the letters written to his
 Majesty’s minister at *Madrid*, relating to the said
 depredations.

On *Thursday* the 16th of *March*, the house of
 Commons resolved itself into a committee of the
 whole

Merchants
 petition ta-
 ken into con-
 sideration.

whole house, to consider of the above-mentioned petition of divers merchants, planters, and others, trading to, and interested in, the *British* plantations in *America*: On the *Tuesday* following they did the same, and likewise next day, being *Wednesday* the 22d. These three days were wholly taken up in hearing counsel and examining witnesses; and on the *Tuesday* following, being the 28th day of *March*, the house having again resolved itself into the same committee, and finished the examination of witnesses, and hearing of counsel, *William Pulteney*, Esq; stood up, and spoke in substance as follows:

‘ Mr. Speaker,

Mr. Pulteney's speech
and motion.

‘ Sir, After the insults and injuries, the cruelties and barbarities, which you have heard so fully proved at your bar, I should think myself fully justified, if I began with a motion for enquiring into the causes of the nation's having suffered so often and so long, without ever once having shewed a proper resentment; but as some gentlemen might perhaps think, this would be carrying the thing farther than it ought to be carried at present, I shall leave those who are to blame, (if there be any such) to the reproaches of their own conscience, and proceed to examine the several sorts of insults and injuries, that have been put upon the nation; because, I am sure, the least we can propose to do upon this occasion, is, to vindicate and establish, as far as can be done by any resolutions of this house, those rights and privileges, which the *Spaniards* have, either by their own rashness or our pusillanimity, been encouraged so frequently, so manifestly, and so contemptuously to violate.

‘ But before I begin, Sir, I must observe, that this is not the first time our merchants have
‘ found

‘ found themselves obliged to apply to this house
‘ for redress: They have already applied twice to
‘ this house, for relief against the depredations
‘ and cruelties, committed upon them by the
‘ *Spaniards*; and, I think, I may now say, with-
‘ out any effect. Upon each of their former ap-
‘ plications they represented to us, how they had
‘ been ravaged and plundered; and as they, at
‘ each time, fully proved their allegations, they
‘ ought then to have met with redress: A full
‘ and an immediate reparation ought then to have
‘ been peremptorily insisted on; and upon its be-
‘ ing refused, or unreasonably delayed, our mi-
‘ nisters ought to have advised his Majesty to de-
‘ clare war: They certainly would have done so,
‘ if they had not had a greater regard for their
‘ own ease and security, than they had for the
‘ honour and interest of the nation.

‘ Now, Sir, as several distinct rights of this
‘ nation have been incroached on, and are now
‘ contested by the *Spaniards*; the first I shall take
‘ notice of, is that right, which our merchants
‘ and sailors have, to sail with their ships on any
‘ part of the seas of *America*, providing they do
‘ not touch at any place possessed by the *Spa-*
‘ *niards*, with a design to carry on a trade or
‘ traffick with the inhabitants. This is a right,
‘ Sir, which is common to us with all other na-
‘ tions, and therefore, by allowing ourselves to
‘ be disturbed in the enjoyment of such a right,
‘ we not only betray the rights of our own sub-
‘ jects, but we betray the rights of mankind in
‘ general. A nation may, when not restrained
‘ by particular treaties, forbid foreigners to sail to,
‘ or traffick in, the ports, havens, or creeks,
‘ within their dominions, because in these they
‘ may have an absolute property; but no nation
‘ can have such a property in the open seas, as
‘ may intitle them to interrupt the ships of other
‘ nations,

‘ nations, in their passage, to and fro, upon those
 ‘ seas, about their lawful business. A man’s ship
 ‘ is his house, and it is by the law of nations a
 ‘ trespass to enter into it against his will, unless
 ‘ he that enters has some dominion or jurisdiction
 ‘ over him. Accordingly, the *Spaniards* have, ever
 ‘ since they first got any possessions in *America*,
 ‘ made it unlawful for the ships of foreign nations
 ‘ to sail to any of the ports or havens, or other
 ‘ places possessed by the subjects of the King of
 ‘ *Spain*, in that part of the world, in order to
 ‘ carry on any trade or traffick with the inhabi-
 ‘ tants; but they never could have, by the law
 ‘ of nations, nor have they ever, till of late
 ‘ years, pretended to any dominion or jurisdiction
 ‘ over the open seas of *America*, nor to any right
 ‘ or title to enter into and search the ships of fo-
 ‘ reign nations sailing upon those seas. They
 ‘ therefore can have no right to interrupt, much
 ‘ less to search any *British* ship, sailing upon the
 ‘ open seas of *America*, unless they have got it by
 ‘ some particular treaty between the two crowns.

‘ Now, Sir, they are so far from having got
 ‘ any such right by any treaty between the two
 ‘ crowns, that by the 8th article of the treaty
 ‘ made in the year 1670, which has been con-
 ‘ firmed by every treaty since that time, it is sti-
 ‘ pulated only, — “ That the subjects of the
 ‘ “ two contracting parties respectively, shall for-
 ‘ “ bear and abstain from sailing to, *and* trafficking
 ‘ “ in, the ports and havens, which have fortifica-
 ‘ “ tions, castles, or ware-houses, or in other places
 ‘ “ possessed by the other party.” — Consequently
 ‘ the subjects of both may lawfully, with regard
 ‘ to one another, sail to, and traffick in, every
 ‘ port, haven, and other place in *America*, not
 ‘ possessed by the other; and that both subjects
 ‘ may do this the more freely and securely, it is,
 ‘ by the 15th article of the same treaty, expressly
 ‘ stipu-

‘ stipulated,——“ That the freedom of naviga-
“ tion ought, by no manner of means, to be in-
“ terrupted, when there is nothing committed
“ contrary to the true sense and meaning of that
“ treaty.”——Which evidently shews, that no
‘ *British* ship ought to be so much as interrupted
‘ in her navigation by any *Spanish* ship, unless
‘ she is actually sailing to or from, *and* trafficking
‘ in, some place possessed by the King of *Spain*.
‘ And this will be still more evident, if we con-
‘ sider the whole of this 15th article; for by the
‘ first part of it, ’tis declared,——“ That that
“ treaty shall no way derogate from any prehe-
“ minence, right, or signiory, which either the
“ one or the other of the contracting parties,
“ have in the seas, straits, or fresh waters of
“ *America*; and that they shall have and retain
“ the same, in as full and ample a manner, as of
“ right ought to belong to them.”——Then fol-
‘ low these words,——“ Be it however under-
“ stood, that the freedom of navigation ought,
“ by no manner of means, to be interrupted,
“ when there is nothing committed contrary to
“ the true sense and meaning of this treaty.”——
‘ From hence we may see, that the last part of
‘ this article is by way of exception to the first;
‘ and that though each party is to continue to en-
‘ joy every preheminance, right, and signiory,
‘ he before held, yet neither party is to make use
‘ of any such preheminance, right, or signiory,
‘ so as to interrupt the freedom of navigation,
‘ when nothing has been committed contrary to
‘ the true sense and meaning of the 8th article,
‘ before mentioned.

‘ From what I have said, Sir, it is evident, our
‘ subjects have such a right as I have mentioned;
‘ and therefore my first motion shall be, to de-
‘ clare, “ That it is the natural and undoubted
“ right of *British* subjects, to sail with their ships

“ on any part of the seas of *America*, to and
 “ from any part of his Majesty’s dominions;
 “ and that the seizing and confiscating such ships,
 “ ———as are not sailing and trafficking in the
 “ ports and havens, which have fortifications,
 “ castles, magazines or warehouses, or in other
 “ places possessed by the subjects of the King
 “ of *Spain*,——is contrary to equity and justice,
 “ and a manifest violation of the treaties subsist-
 “ ing between the two crowns.”

“ But, Sir, as it would not, perhaps, be thought
 “ fair to desire a question upon this motion, with-
 “ out having previously given you notice of all
 “ the following propositions or motions, I intend
 “ to make upon this occasion, I shall state and ex-
 “ plain every one of them regularly, in the course
 “ I am to make them, before I desire your opi-
 “ nion upon the proposition I have now made.
 “ For this purpose I must acquaint you, that the
 “ next right, which I think ought now to be
 “ established by a resolution of this house, is,
 “ that which the subjects of *Great Britain* have,
 “ to carry in their ships all sorts of goods, mer-
 “ chandize, or effects, from one part of his Ma-
 “ jesty’s dominions to any other part of his Ma-
 “ jesty’s dominions. This right, Sir, is likewise
 “ a right, which we enjoy in common with all
 “ other nations; for the subjects of every state
 “ have a right to carry in their ships whatever
 “ goods they please, from one part of their domi-
 “ nions to another, unless the transporting of such
 “ goods be prohibited by a law amongst them-
 “ selves. In this case it is ridiculous to talk of
 “ goods made contraband by the laws of any
 “ other nation; because no nation has a right to
 “ prohibit the subjects of any other independent
 “ nation, to transport any sort of goods from one
 “ part of their own dominions to another. The
 “ *Spaniards* may as well pretend that we shall not
 “ transport

‘ transport gold or silver, or logwood, from
‘ *Bristol* to *London*, as to say, that we shall not
‘ transport any such commodity from *Jamaica* to
‘ *London*; and they might as well send their
‘ *Guarda Costa's* into the *British* channel, to search
‘ our ships in their passage from *Bristol* to *London*,
‘ and to seize them, if any such goods should be
‘ found on board, as to send *Guarda Costa's* to
‘ search our ships on their passage from *Jamaica*,
‘ or any other of our dominions in *America*, to
‘ *London*, and to seize them, in case of their find-
‘ ing any such goods on board. Indeed, as usur-
‘ pations are things of a quick growth, and ex-
‘ tremely fertile, if we continue in our present
‘ lethargy but a few years longer, I do not know
‘ but I may hear, that the mouth of the *Thames*
‘ is beset with *Spanish Guarda Costa's*, in order to
‘ seize all *British* ships, sailing in or out, that
‘ shall be found to have on board what they may
‘ please to call contraband goods: Nay, I do not
‘ know but this might have happened already, if
‘ it had not been for our neighbours the *Dutch*,
‘ who, I believe, draw most of our *Spanish* gold
‘ and silver away from us; and therefore would
‘ not tamely allow a trade, even of ours, to be
‘ interrupted, by which they are so great gainers.

‘ Contraband, Sir, is a foreign term, which
‘ signifies the same with what we call prohibited;
‘ and as any nation, not restrained by particular
‘ treaties, may make a law for prohibiting the
‘ importation or exportation of any particular sort
‘ of goods they please, into or from their own
‘ dominions, the goods so prohibited are, by the
‘ *Spaniards* and some other foreigners, called con-
‘ traband goods. Of these, foreigners who trade
‘ with them are obliged to take notice; and may
‘ be punished, if they transgress the laws of the
‘ country with which they trade: But foreigners
‘ who have no design to carry on any trade in
‘ that

‘ that country, nor to touch at any of its ports,
 ‘ have no occasion to take the least notice of
 ‘ what goods are made contraband in that coun-
 ‘ try; nor can they be punished, though they
 ‘ fail, in the open seas, along the coasts of that
 ‘ country, with such goods on board; for no
 ‘ goods are *ipsa natura* contraband, it is the law
 ‘ of a particular country that makes goods con-
 ‘ traband; and where the laws of that country
 ‘ have no force, the goods cannot be supposed to
 ‘ be contraband.

‘ Now, Sir, with regard to *British* ships, tra-
 ‘ ding to or from any port in *Old Spain*, they
 ‘ may have contraband goods on board, and may,
 ‘ in a proper manner, be searched by any *Spanish*
 ‘ officer, properly commissioned for that purpose;
 ‘ but with regard to any *British* ship trading to
 ‘ or from any port in *New Spain*, or in any of the
 ‘ *Spanish* dominions in *America*, it is ridiculous to
 ‘ say she can have any particular sort of contra-
 ‘ band goods on board; for the very trade itself
 ‘ is contraband; and consequently all the goods
 ‘ on board, of whatever kind, must be contra-
 ‘ band, and ship and cargo may be seized and
 ‘ made prize of: Nay, if she had not one shil-
 ‘ ling’s worth of any sort of goods on board, the
 ‘ ship may be seized and made prize of; but in
 ‘ either case, she is not seized for having contra-
 ‘ band goods on board, but for having been en-
 ‘ gaged in an unlawful trade.

‘ This, Sir, is the state of the case with respect
 ‘ to contraband goods; and if we examine the
 ‘ two fundamental treaties between *Spain* and us,
 ‘ I mean the treaty of 1667 and 1670, we shall
 ‘ find them exactly agreeable to the case as I
 ‘ have stated it. In the treaty of 1667, which
 ‘ regulates the trade between *Britain* and *Spain* in
 ‘ general, there is mention made of contraband
 ‘ goods; but every one may see, that wherever
 ‘ there

‘ there is any mention made of the word contra-
‘ band, it relates only to the trade between *Bri-*
‘ *tain* and *Old Spain*; and with respect to that
‘ trade, it is determined by that treaty, what sort
‘ of goods shall be deemed contraband; and a
‘ method is particularly prescribed, which the
‘ *Spaniards* are obliged to observe, when they vi-
‘ sit *British* ships, bound to or from any of the
‘ ports of *Old Spain*, in search of contraband
‘ goods. Whereas in the treaty of 1670, which
‘ was made only for regulating our mutual affairs
‘ in *America*, the word contraband is not so much
‘ as once mentioned in the whole treaty; and the
‘ reason is very plain; for where there is no trade,
‘ there can be no such thing as contraband goods;
‘ and as all trade in that part of the world, be-
‘ tween the subjects of the two contracting par-
‘ ties, was, by that very treaty, expressly forbid,
‘ therefore it would have been absurd to have
‘ made any regulations about contraband goods.

‘ I know, Sir, the *Spaniards* pretend, that those
‘ goods which they ridiculously call contraband,
‘ are goods which can be had no where but in
‘ their plantations in *America*; and that therefore,
‘ if any such goods be found on board any of our
‘ ships in those seas, it is a certain proof that such
‘ ships have been carrying on an unlawful trade
‘ on their coasts in that part of the world: But I
‘ likewise know, Sir, that this fact is false. There
‘ are no goods that can be found in the *Spanish*
‘ settlements, but what may be found, and may
‘ be purchased, in our own settlements; even
‘ *Spanish* Pistoles and Pieces of Eight may be
‘ found in our settlements, without any of our
‘ subjects having been engaged in an unlawful
‘ trade with their settlements; because, besides
‘ the lawful trade now carried on between our
‘ *South-Sea* company and their settlements, the
‘ *Spanish* governors themselves often send to our
‘ settle-

‘ settlements for provisions, and these provisions
‘ they purchase either with the current coin of
‘ *Spain*, or with goods of the produce of their
‘ settlements in *America*; and these goods, or this
‘ money, being thus lawfully brought to our set-
‘ tlements, surely our ships may take them on
‘ board, and may bring them to *Britain*, without
‘ having ever been engaged in an unlawful trade
‘ with the *Spanish* settlements in *America*.

‘ But supposing, Sir, that some *Spanish* gold
‘ or silver, either in bars, or in Pistoles and Pieces
‘ of Eight, or a parcel of goods of the growth of
‘ the *Spanish* settlements in *America*, had been
‘ originally brought from thence by means of an
‘ unlawful trade; suppose such a thing could be
‘ fully proved, which I think is impossible; yet
‘ if those effects be once landed in any of our
‘ settlements, and there sold to a fair purchaser,
‘ and by him put on board a ship, in order to be
‘ carried to any other port in the *British* domini-
‘ ons, I insist upon it, that the *Spaniards* have no
‘ right to search that ship, and much less to seize
‘ and make prize of her, or of any part of her
‘ cargo; for nothing can entitle them to seize,
‘ and make prize of a *British* ship, but her being
‘ actually found sailing to, and trafficking in, the
‘ ports, havens, or places possessed by the subjects
‘ of the King of *Spain* in *America*. Surely, Sir,
‘ an illicit trade with the *Spanish* settlements in
‘ *America*, does not fix such a *vitium reale* upon
‘ the goods so brought from thence, that they
‘ may be seized or reclaimed by the *Spaniards*,
‘ wherever, and whenever, they can afterwards
‘ find them; and that notwithstanding their ha-
‘ ving been sold to a fair purchaser in an open
‘ market: This would be allowing the *Spaniards*
‘ a greater privilege, with respect to goods pur-
‘ chased from them at an equitable price, though
‘ by means of an illicit trade, than is usually al-
‘ lowed

‘ lowed to an owner of stolen goods by any law
‘ in the world. It is a privilege which was never
‘ granted them by any nation; and if we should
‘ through fear of a war make them such a con-
‘ cession, I should expect that they would soon
‘ pretend to come and search our Bank and all
‘ our goldsmiths and other shops in *London*, in
‘ order to seize and carry off all the *Spanish* gold
‘ and silver they found; for if they can, by the
‘ means they have used, obtain but one unjust
‘ concession, no man can tell how far they may
‘ afterwards go, or where their compassion to-
‘ wards us may induce them to stop.

‘ Upon this point, Sir, I have been the more
‘ particular, because I think the *Spanish* ministers
‘ and our ministers together, have by their me-
‘ morials quite confounded it. By confounding
‘ the treaty of 1667 with that of 1670, the *Spa-
‘ nish* ministers have insisted, and ours seem to
‘ have admitted, that there may be such a thing
‘ as contraband goods on board *British* ships, sail-
‘ ing in the seas of *America*; which I have shewn
‘ to be impossible: With respect to our *South-Sea*
‘ company’s ships, there may, indeed, for what
‘ I know, be contraband goods on board; but as
‘ they are the only *British* ships that are allowed
‘ to carry on any traffick in the *Spanish* ports of
‘ *America*, they are the only *British* ships in those
‘ seas, that can be supposed to have any contra-
‘ band goods on board; therefore, I am surprized
‘ to find, that our ministers ever allowed the word
‘ contraband to be brought into the dispute; at
‘ least I am surprized, that upon its being first
‘ mentioned, they did not explain the point much
‘ more clearly than I find they have done in any
‘ of their memorials; for this seems to be the
‘ principal point in dispute between us, and ought
‘ therefore to have been explained in the most
‘ clear and succinct manner.

‘ As

‘ As this has not, in my opinion, yet been
 ‘ done, and as it is a matter of so great impor-
 ‘ tance, I think, Sir, it ought to be done by this
 ‘ house; and for this purpose, the next proposi-
 ‘ tion I shall make to you, shall be, to declare,
 “ That it is the indisputable right of the sub-
 “ jects of *Great Britain*, to carry in their ships
 “ all sorts of goods, merchandize, or effects,
 “ from one part of the *British* dominions to any
 “ other part of the *British* dominions; and that
 “ no goods, merchandize, or effects, being so
 “ carried, are, by the law of nations, or any
 “ treaty between the two crowns, to be deemed
 “ or taken as contraband goods; and that the
 “ searching of such ships on the open seas, un-
 “ der pretence of finding contraband goods, is
 “ highly injurious to the trade of this kingdom,
 “ a violation of the law of nations, and an in-
 “ fraction of the treaties subsisting between the
 “ two crowns.”

‘ I must now take notice, Sir, of the right
 ‘ which the subjects of *Great Britain* have to
 ‘ possessions in the province of *Yucatan*, and to
 ‘ cut logwood in the bay of *Campechey*. This is
 ‘ a right peculiar to this nation; but it is a right
 ‘ which the *Spaniards* cannot, with the least sha-
 ‘ dow of reason, controvert, because we were in
 ‘ possession of lands in that province, and were in
 ‘ use to cut logwood wherever we pleased in that
 ‘ bay, long before, and at the time of the treaty
 ‘ of 1670; and since by the seventh article of
 ‘ that treaty it is expressly stipulated,—“ That
 “ the King of *Great Britain*, his heirs and suc-
 “ cessors, shall have, hold, keep, and always
 “ possess, in full right of sovereignty, signiory,
 “ possession, and propriety, all the lands, coun-
 “ tries, islands, colonies, and other places, *be*
 “ *they what they will*, lying and situate in the
 “ *West-Indies*, or in any part of *America*, which
 “ the

“ the said King of *Great Britain* and his subjects
“ now hold and possess ; insomuch that they nei-
“ ther can, nor ought hereafter to be contested or
“ called in question, upon any account, or under
“ any pretence whatsoever ;”——therefore it must
‘ be granted, we have an uncontestable right to
‘ possess the same lands in that province, and to
‘ cut logwood in that bay ; unless it could be
‘ shewn, that we have by some treaty since that
‘ time given it up. But so far otherwise, that
‘ this treaty, and this very right, has been con-
‘ firmed by every treaty between the two crowns
‘ since that time ; and by the first article of the
‘ treaty of commerce at *Utrecht*, this right is not
‘ only confirmed, but farther explained, by the
‘ addition of these remarkable words,——“ with-
“ out prejudice to any liberty or power which
“ the subjects of *Great Britain* enjoyed, either
“ through right, sufferance, or indulgence.”

‘ But, Sir, to put this matter beyond all dis-
‘ pute, I must acquaint you, that as soon as the
‘ *Spaniards* began to contest this right with us,
‘ which was very soon after the treaty of *Utrecht*,
‘ notwithstanding the words I have mentioned,
‘ his late Majesty referred it to the board of
‘ trade, and that board, after a strict enquiry,
‘ and full information, reported,——“ That the
“ said *American* treaty did establish a right in the
“ crown of *Great Britain* to the *Laguna de Ter-*
“ *minos* in the province of *Yucatan*, and the parts
“ adjacent ; those places at the time of the trea-
“ ty, and for some years before, being actually
“ in the possession of the *British* subjects.”

‘ From what I have said, Sir, it is plain, that
‘ this right is still in the crown of *Great Britain*,
‘ and therefore the third resolution I am to pro-
‘ pose shall be, that it may be resolved, “ That
“ the subjects of *Great Britain* did hold and pos-
“ sess lands in the province of *Yucatan* in *Ame-*
“ *rica,*

“ *rica*, antecedent to, and at the time of, the
 “ treaty of 1670; which treaty confirmed the
 “ right to each contracting party, of such lands
 “ or places as either did at that time hold and
 “ possess; and that the subjects of *Great Britain*
 “ then had, and have at all times since claimed a
 “ right of cutting logwood in the bay of *Cam-*
 “ *peckey*, and enjoyed the same without interrup-
 “ tion, till of late years; which right seems fur-
 “ ther particularly secured to us, by the manner
 “ in which the first article of the treaty of com-
 “ merce at *Utrecht*, confirms the treaty of 1670,
 “ with these remarkable words,—*without preju-*
 “ *dice to any liberty or power, which the subjects*
 “ *of Great Britain enjoyed, either through right,*
 “ *sufferance, or indulgence.*”

‘ I am now come, Sir, to the last right which
 ‘ I shall take notice of upon the present occasion,
 ‘ which is that right our subjects have to gather
 ‘ salt in the island of *Tortugas*, an uninhabited
 ‘ island in the *West-Indies*, which the *Spaniards*
 ‘ say belongs to them, but by what right I do
 ‘ not know; for they have neither fort, castle,
 ‘ nor warehouse, upon the island, nor any other
 ‘ sign of possession that I know of. However,
 ‘ suppose they have the property, or rather the
 ‘ dominion of that island, ’tis certain we were in
 ‘ use, and claimed a right to gather salt there,
 ‘ before, and at the time of the treaty in 1670;
 ‘ therefore this right was confirmed to us by that
 ‘ treaty, and reconfirmed by the treaty of com-
 ‘ merce at *Utrecht*; but this is not all, Sir, with
 ‘ respect to this right, we have an express, and
 ‘ a particular convention between *Spain* and us
 ‘ to plead in its favour. By the third article of
 ‘ the treaty of commerce between *Great Britain*
 ‘ and *Spain*, concluded at *Madrid* in the year
 ‘ 1715, this right or privilege is expressly con-
 ‘ firmed in these words,——“ His Catholick Ma-
 “ jesty

“ jesty permits the said subjects (meaning *British*)
“ to gather salt in the isle of *Tortugas*, they
“ having enjoyed this liberty in the reign of
“ King *Charles II.* without interruption.”

‘ From all these treaties, and from a possession
‘ almost uninterrupted for above sixty years, one
‘ would have thought, Sir, the *Spaniards* would
‘ never have attempted to disturb us in the pos-
‘ session of a right, so often, so solemnly, so ex-
‘ pressly, and so particularly confirmed ; but no
‘ words, no treaties, can defend the rights of a
‘ nation, when their sword seems to be rusted in
‘ its scabbard. Notwithstanding all these treaties,
‘ the *Spaniards*, about six years since, attacked
‘ our fleet of merchant ships, that was gathering
‘ salt upon that island, fired several broad-sides
‘ upon one of his Majesty’s ships of war, serving
‘ as their convoy, took and made prize of four
‘ of the merchant ships, and would have taken
‘ a great many more of them, if it had not been
‘ for the good conduct and gallant behaviour of
‘ the gentleman that commanded the man of
‘ war, then serving as their convoy ; who, not-
‘ withstanding the great superiority of the ene-
‘ my, kept them in play, till most of our merchant
‘ ships got off, and thereby shewed to the *Spani-*
‘ *ards*, that their impunity was not owing to the
‘ cowardise of our sea-captains, but to the tameness
‘ of our ministers. As that gentleman then shew-
‘ ed that he had courage to offend, as well as
‘ conduct to defend, I hope, if we do come to
‘ a rupture with *Spain*, he will be one of the
‘ first that shall be commissioned.

‘ This outrage, Sir, was not committed by
‘ stealth, or by persons not properly commission-
‘ ed : It was not committed by common *Guarda*
‘ *Costa’s*, who, often, have their commissions
‘ only from the *Spanish* governors in *America*.
‘ No, Sir, it was committed openly, avowedly,
‘ and

‘ and by *Spanish* men of war, bearing the King
‘ of *Spain*’s commission, and having exprefs in-
‘ structions from his governors for what they did.

‘ These instructions, Sir, were not to persuade,
‘ but to compel, as all instructions to ships of
‘ war ought to be; for fleets or armies were
‘ never, till of late years, sent out as orators
‘ or ambassadors; they were never sent out but
‘ against those that had been found to be obsti-
‘ nate; and the obstinate were generally at last
‘ obliged to pay the charges of fitting them out.

‘ For my part, Sir, I am surprized, that such
‘ an open and avowed insult upon the flag, and
‘ upon the crown of *Great Britain*, was not pur-
‘ sued with immediate vengeance: I am surprized
‘ we had the patience to send to the court of
‘ *Spain* to demand satisfaction and reparation;
‘ and yet, Sir, I do not find that we have hi-
‘ therto received any satisfaction for the affront,
‘ nor any reparation for the damage done. Nay,
‘ the *Spanish* court seems to mind it so little,
‘ that they have not so much as once mentioned
‘ it in their last memorial. This affair, I must
‘ say, Sir, puts me in mind of the story of a
‘ gentleman, who, upon receiving a box on the
‘ ear, asked him that gave it, if he was in jest
‘ or in earnest; and upon the other’s answering,
‘ he was in great earnest, the honest gentleman
‘ replied only, I am glad you are, Sir, for I do
‘ not like such jests. Whether we have had our
‘ joke upon this occasion, I do not know; but I
‘ hope the nation will not content itself with re-
‘ turning a joke for such a serious blow.

‘ It is not restitution, Sir, it is not reparation,
‘ that can atone for such an avowed insult; no-
‘ thing can satisfy the honour of the *British*
‘ crown, or of the *British* flag, but the inflicting
‘ of a condign punishment upon those captains
‘ that committed the outrage, or upon the *Spa-*
‘ *nish*

' *nish* governor that gave the instructions. Elther
 ' the one or the other must be hung up, and, I
 ' think, hung in chains too, upon the island
 ' where the outrage and robbery was committed,
 ' as a monument of *British* resentment. If we
 ' are negotiating, if we continue to negotiate,
 ' this ought to be insisted on as a preliminary;
 ' and if it is not granted as a preliminary, we
 ' ought immediately to break off negotiations,
 ' and revenge ourselves upon the country, that
 ' dares to protect such criminals; for if we allow
 ' such an affront as this to pass unrevenged, I
 ' will take upon me to foretel, that the *Spa-*
 ' *niards* will perform no promise they make to
 ' us, nor observe any treaty they conclude.

' However, Sir, I shall be for leaving it en-
 ' tirely to his Majesty to determine, what satis-
 ' faction or reparation ought to be deemed suffi-
 ' cient; but as to the right we have of gather-
 ' ing salt in that island, I think it ought to be
 ' asserted by a resolution of this house; there-
 ' fore, the fourth proposition I shall make to
 ' you, shall be, to resolve, " That the attacking
 " a fleet of *British* ships, gathering salt in the
 " island of *Tortugas*, then under convoy of one
 " his Majesty's ships of war, by two men of
 " war belonging to the King of *Spain*, firing on
 " the convoy, and taking four of the said ships,
 " was a notorious infraction of the convention
 " signed at *Madrid*, December 14, 1715, and an
 " high insult on the honour due to the flag of
 " *Great Britain*."

' Having thus, Sir, mentioned and explained
 ' the several rights of this nation in *America*,
 ' which I take to be of such consequence, that
 ' they ought to be particularly established and
 ' asserted, in the most solemn and the most ex-
 ' plicit manner, by the resolutions of Parlia-
 ' ment; I shall next take notice, that it not
 ' only

' only appears, that every one of these rights is
 ' now contested by the court of *Spain*; but that
 ' it has been proved at our bar, that the subjects
 ' of this nation have been disturbed and inter-
 ' rupted in the exercise of every one of them,
 ' by the *Spanish Guarda Costa's* in *America*. The
 ' *Spaniards* have of late years not only seized
 ' and confiscated our merchant-ships, for carrying
 ' on their lawful trade in the island of *Tortugas*
 ' and bay of *Campechey*; but they have stopt,
 ' searched, and plundered them, for sailing upon
 ' the open seas of *America*; and have even seized
 ' and made prize of them, for transporting some
 ' sorts of goods from one part of his Majesty's
 ' dominions to another, in manifest violation of
 ' the known rights and privileges of the *British*
 ' nation.

' These are rights, Sir, which are all so firmly
 ' established to us by treaties; they are rights
 ' which we have been so long in possession of,
 ' that I am surprized how the *Spaniards* could
 ' find a pretence for controverting any one of
 ' them; but when I consider the great superi-
 ' ority of our naval force, and the great expence
 ' we have been at of late years in supporting
 ' that naval force, and in fitting out almost eve-
 ' ry year formidable squadrons, I am much sur-
 ' prized to find, that the *Spaniards* have been so
 ' long allowed not only to controvert, but actu-
 ' ally to interrupt and disturb us in the posses-
 ' sion and exercise of those rights. If they had
 ' rested satisfied with denying that we had any
 ' such rights, if they had refused to acknow-
 ' ledge them in direct and explicit terms, we
 ' might, for the sake of peace, have submitted
 ' to such a piece of injustice; but their plunder-
 ' ing and making prize of our merchant-ships,
 ' for exercising any of those rights, is an injury
 ' which we cannot in honour submit to; and
 ' their

‘ their pretending to stop, search, or seize, under any pretence whatsoever, those *British* ships which they find sailing upon the open seas, either in *America* or elsewhere, is an usurping of a right or dominion which is inconsistent with our trade, and is therefore what we ought to have opposed with all our might, at the very beginning; for usurpations of every kind gather strength from their continuance, and that which was at first a most unjust and a most violent usurpation, may at last become a settled and an uncontrovertible right.

‘ I must confess, Sir, that from our conduct of late years, I am apt to suspect, there are some amongst us, who think the matters now in dispute between *Spain* and us, of so little consequence, that no one of them is worth our contending for. If there be any such gentlemen in this house, it would be easy to shew, that they are most egregiously mistaken; it would be easy to demonstrate, that every one of the rights I have mentioned, is of such consequence to our trade (which is the chief support of our riches and power, and the only support of our naval power) that we ought to contend for it, as if we were contending *pro aris & focis*; but I cannot well suppose there are any such gentlemen in this house, and therefore I shall not at present enlarge upon this point; because, by our being now in a committee, I have a privilege of speaking again upon the same subject; and that privilege I shall beg leave to make use of, if I hear any gentleman pretend to insinuate (for I know it will not be directly asserted) that none of the rights I have mentioned are worth the care of a *British* Parliament.

‘ For this reason I say, Sir, I shall not now insist upon the great consequence of all or any

of the matters, which the *Spaniards* have been
 of late tamely allowed to dispute with us; and
 as I believe no gentleman will say, but that it
 has been fully proved at our bar, that our
 merchants have been plundered, our ships un-
 justly seized and confiscated, and our seamen
 cruelly used; therefore, without making an
 ungrateful repetition of the indignities and in-
 juries which have been proved at our bar, I
 shall mention to you the fifth motion I design
 to make; which is, “That for many years last
 past, the liberty of navigation in the *Ameri-*
can seas hath been unjustly disturbed by the
Spaniards, under pretence of searching for and
 finding illicit trade; the *British* ships unlaw-
 fully seized upon the open seas, plundered,
 and confiscated; the sailors robbed, inhuman-
 ly tortured, imprisoned, and made slaves; to
 the grievous loss of the merchants, the ob-
 struction of the commerce, and the dishonour
 of the nation.”

And the last proposition I shall make to you,
 Sir, upon this occasion, shall be, “That, not-
 withstanding the repeated application of Par-
 liament, the treaty of *Seville*, and the assuran-
 ces so frequently given to the merchants, of
 procuring reparation for their losses and ill-
 usage; and notwithstanding the expectation
 of the nation, of receiving just and ample sa-
 tisfaction for the cruelties exercised on its
 subjects, and the insults offered to itself; no-
 thing has, in so many years, been obtained
 from the court of *Spain*, effectually to satisfy
 the losses, repair the injuries, or retrieve the
 honour of the nation; tho’ the said treaty of
Seville, so advantageous to *Spain*, hath been
 punctually executed on the part of *Great Bri-*
tain.”

‘ This

‘ This likewise, Sir, is a proposition which I
‘ cannot think any gentleman in this house will
‘ pretend to oppose, at least I cannot suggest to
‘ myself any plausible reason for opposing it.
‘ Every gentleman knows, how many petitions
‘ have been presented to this house by our plun-
‘ dered merchants and seamen: For several years,
‘ we have seldom been a session without having
‘ one or more such petitions presented to us:
‘ Upon these applications we have already twice
‘ addressed the crown: We have already twice
‘ declared, that we would support the crown in
‘ any measures that should seem necessary for
‘ vindicating the rights and the honour of the
‘ nation; so that if our fellow-subjects still remain
‘ unsatisfied, if those ravages and depredations
‘ are still continued and multiplied upon us, if
‘ the honour of the nation still lies groveling in
‘ the dust, the fault cannot be laid at our door.
‘ Our ministers cannot excuse themselves, as some
‘ ministers have formerly been apt to do, by say-
‘ ing, that the Parliament refused to support
‘ them in those measures that were necessary for
‘ protecting the trade, or vindicating the honour
‘ of the nation; and, indeed, I must say, if ne-
‘ gotiation, if letters, memorials and representa-
‘ tions, had been methods proper or sufficient
‘ for obtaining redress, it appears from the piles
‘ of papers that have been laid before us, that
‘ our ministers have not been remiss in endea-
‘ vouring to obtain satisfaction and reparation for
‘ the injuries and insults we have met with; but,
‘ in my opinion, they have very much mistaken
‘ the methods proper to be made use of upon
‘ such occasions.

‘ It is amazing, Sir, to take a view of the
‘ heaps of letters, memorials, and representations,
‘ which we have already before us, relating to
‘ this affair. They look more like the papers

‘ belonging to an hereditary suit in a court of
 ‘ equity, than like the papers belonging to a ne-
 ‘ gotiation between two sovereign and indepen-
 ‘ dent nations. In a suit at law, or in equity, it
 ‘ is the business of those who carry on the suit,
 ‘ to prevent its being speedily brought to a con-
 ‘ clusion, because they get so much by it yearly,
 ‘ and termly, as long as the suit continues, and
 ‘ those annual profits must cease as soon as the
 ‘ suit is at an end; and as they are paid by the
 ‘ sheet, without any regard to the matter, it is
 ‘ their interest to heap process upon process, and
 ‘ in every paper to be as verbose and prolix as
 ‘ their invention can suggest. But negotiators
 ‘ are never paid by the sheet, nor ought they to
 ‘ be made to expect their chief reward till after
 ‘ the negotiation is brought to a conclusion;
 ‘ therefore it is not their interest to be verbose,
 ‘ or to heap memorial upon memorial; nor is it
 ‘ their interest to spin out a negotiation. It can-
 ‘ not be imagined, that any negotiation we have
 ‘ been lately concerned in, was ever spun out for
 ‘ the sake of continuing salaries to the negotia-
 ‘ tors; nor can it be supposed, that letters, me-
 ‘ morials, or representations have been multiplied
 ‘ or extended, for the sake of adding to, or in-
 ‘ creasing the salaries of those who were concern-
 ‘ ed in drawing them up; therefore I cannot a-
 ‘ void being surprized at the multitude and the
 ‘ length of those papers, which seem to belong
 ‘ to the late negotiations between *Spain* and us.

‘ Besides, Sir, in all negotiations it is general-
 ‘ ly the duty of the negotiators, of one side or
 ‘ other, to bring the negotiation to a speedy issue;
 ‘ but where a nation has been injured, and is in
 ‘ a condition to revenge itself, it is more particu-
 ‘ larly incumbent upon its negotiators to bring
 ‘ the negotiation to an immediate issue, of one
 ‘ kind or other; and for that purpose, to be short
 ‘ and

‘ and substantial in every memorial, answer, or
‘ reply, they deliver, and peremptory in every
‘ demand they make. When the known rights
‘ of a nation are invaded, it is ridiculous to enter
‘ into a tedious and metaphysical discussion of
‘ the point of right; and still more ridiculous to
‘ make long answers to every quirk that may be
‘ made use of by the adverse party; for the coun-
‘ cils of nations are never to be swayed by subtle
‘ arguing, nor is it consistent with the dignity of
‘ Sovereigns to plead their cause, like barristers
‘ pleading the cause of their clients before a court
‘ of justice.

‘ When an independent and a powerful Sove-
‘ reign has been injured, he that speaks in his
‘ name, Sir, may explain the nature of the injury
‘ that has been done, and ought to wait a reason-
‘ able time for an answer: He may even go
‘ the length of a reply; but if any sophistical ar-
‘ guments or delusive evasions have been made
‘ use of in the answer given him, he ought to
‘ think it beneath the character he bears, to take
‘ notice of them in his reply; and the conclusion
‘ of his reply ought always to be, a peremptory
‘ demand of justice within a time limited. This
‘ is the utmost length a Sovereign ought to go,
‘ if he be at that time in any tolerable condition
‘ for doing himself justice; and if we had made
‘ use of this method of negotiation with *Spain*, I
‘ am convinced the insults and injuries put upon
‘ us by that nation, would have been far less nu-
‘ merous, and less dishonourable for us, than they
‘ are at present.

‘ For this reason, Sir, if our negotiations must
‘ be continued yet a while longer, I hope they
‘ will be put upon a different footing, and carri-
‘ ed on in a different manner, from what they
‘ have been; but for my part, I do not see what
‘ security we can expect from any negotiation or
‘ treaty;

‘ treaty; for though the treaty of *Seville* be not
‘ such a one as it ought to be, and might have
‘ been, if the squadrons we were at the expence
‘ of fitting out about that time, had received or-
‘ ders to compel as well as persuade, yet by that
‘ treaty the crown of *Spain* engaged itself, almost
‘ as exprefsly as it can, I believe altogether as
‘ exprefsly as it will, be engaged by any treaty
‘ we can now obtain by peaceable means, to give
‘ satisfaction for all the depredations that had
‘ been committed before that time, and to pre-
‘ vent any such for the future. By the very first
‘ article of that treaty, all former treaties were
‘ renewed and confirmed; and by the first sepa-
‘ rate article, most of the treaties between the two
‘ crowns are particularly mentioned, and again
‘ exprefsly confirmed; from whence we may see,
‘ that the crown of *Spain* was engaged by that
‘ treaty, as much as it can be by general words in
‘ any treaty, to prevent any injuries being done
‘ by the subjects of *Spain* to the subjects of *Great*
‘ *Britain*. ’Tis true, the treaty of 1670 is not
‘ mentioned among the rest in the first separate
‘ article of the treaty of *Seville*, nor is it mention-
‘ ed in the other famous treaty, made between
‘ *Spain* and us in the year 1721. Whether this
‘ happened by neglect, or if there was any hidden
‘ design in not mentioning that treaty among the
‘ rest, I shall not pretend to determine; but I
‘ cannot think the *Spaniards* will from thence pre-
‘ tend to say, we have passed from, or given up
‘ that treaty; because I do not think it is their
‘ interest to say so; for if it could be supposed,
‘ that there is no such treaty now subsisting be-
‘ tween the two crowns, there is nothing to hin-
‘ der us from trading with their subjects in *New*
‘ *Spain* by open force; any laws or prohibitions
‘ they could make against such a trade, would be
‘ of very little signification: Even all the *Guarda*
‘ *Costa*’s

‘ *Costa’s* they could send thither, would be far
‘ from being able to prevent our carrying on such
‘ a trade; because we could send sufficient squa-
‘ drons of men of war to protect all our merchant-
‘ ships employed in that trade, without a breach
‘ of any article either in the treaty of 1721, or in
‘ the treaty of *Seville*.

‘ Then, Sir, with respect to the depredations
‘ that had been committed upon our merchants
‘ before the conclusion of that treaty, we know
‘ that by the sixth article thereof, commissaries
‘ were to be appointed to examine and decide
‘ what concerned the ships and effects taken at
‘ sea, and also all our pretensions relating to a-
‘ buses committed in commerce, and all other
‘ pretensions as well in the *Indies* as in *Europe*;
‘ and his Catholick Majesty expressly engaged,
‘ to cause to be executed punctually and exactly,
‘ what should be decided by the said commissa-
‘ ries, within six months after the making of their
‘ report. These commissaries, this nation has
‘ reason to know, were accordingly appointed;
‘ but as the *Spaniards* had never, I believe, an in-
‘ tention to perform this engagement, they took
‘ care that their commissaries should never agree
‘ to any report; and upon this frivolous pretence,
‘ I suppose, among others of the same kind, they
‘ have ever since refused to make us the least sa-
‘ tisfaction for any of the depredations committed
‘ before the concluding of that treaty, though it
‘ be now above eight years since the treaty was
‘ concluded, and above five years since the com-
‘ missaries ought to have made their report, ac-
‘ cording to the eighth article of the same treaty.

‘ From what I have said, Sir, it will appear,
‘ I think, that we can have no great expecta-
‘ tions from any future treaty we can make; but
‘ whatever may be the success of our present
‘ negotiations, whatever we may expect, what-
‘ ever

‘ ever advantages we may reap from any future
‘ treaty, it is certain, we have as yet received
‘ no satisfaction or reparation, notwithstanding
‘ the exprefs promises made by the treaty of *Se-*
‘ *ville*, and notwithstanding that treaty’s having
‘ been performed by us in the most punctual
‘ manner; and therefore I hope no opposition
‘ will be made against that part of the resolution
‘ I am to move for. Then as to the assurances
‘ that have been given our merchants, of pro-
‘ curing reparation for their losses and ill-usage,
‘ they have been so frequent, so exprefs, and
‘ are so well known, that I cannot think I have
‘ the least occasion for repeating or explaining
‘ them; for which reason, I shall for the present
‘ conclude with begging, that gentlemen would
‘ consider for what purposes we sit here: We as-
‘ semble in this house, in order to receive the
‘ petitions, and hear the complaints of our in-
‘ jured subjects; but we are not to receive and
‘ hear only, we are likewise in duty bound to
‘ provide a remedy for the grievances they justly
‘ complain of, and to take the most effectual
‘ measures for that purpose. We have twice al-
‘ ready come to general resolutions upon this
‘ subject: We have twice already found, that
‘ such general resolutions have produced no ef-
‘ fect; therefore it would be unpardonable in us
‘ to proceed no further upon the present occa-
‘ sion. Perhaps some gentlemen may think, we
‘ ought now to go much further than I have ta-
‘ ken the liberty to propose; but I cannot think
‘ any gentleman will oppose our going thus far;
‘ for the least we can do, is to assert those natio-
‘ nal rights, which seem of late to have been
‘ neglected; because, after such a solemn and
‘ publick declaration of our rights, I hope no
‘ minister will hereafter dare to give up any of
‘ them by treaty, or to allow them to be any
‘ longer

‘ longer incroached on and violated, under the
 ‘ pretence of a negotiation.’

The next that spoke was Sir *Robert Walpole*,
 the purport of whose speech was thus.

‘ Mr. Speaker,

‘ Sir, I do not rise up to oppose, or in the
 ‘ least to dispute, any of the rights or privileges
 ‘ which the honourable gentleman has been
 ‘ pleased to mention. I am fully convinced, that
 ‘ this nation has an indisputable title to all those
 ‘ rights and privileges, and I shall always be as
 ‘ zealous for defending them as that gentleman or
 ‘ any other: Nay, I am convinced, that no *Brit-*
 ‘ *ish* subject will pretend to controvert any one of
 ‘ them; and therefore I shall readily agree with
 ‘ the honourable gentleman in every thing he has
 ‘ said in support of those rights and privileges;
 ‘ but I cannot agree with him in thinking, that
 ‘ upon this occasion they ought to be so particu-
 ‘ larly vindicated and asserted by the resolutions of
 ‘ this house. I cannot think there is at present the
 ‘ least occasion for our coming to any such resolu-
 ‘ tions; because, I believe, there is no *British*
 ‘ subject that will pretend to question any of the
 ‘ rights he has mentioned, or that will dare to say,
 ‘ that any one of them ought to be given up. It
 ‘ is, to be sure, unnecessary, and I must think in-
 ‘ consistent with the dignity of this house, to
 ‘ come to any resolution for determining a ques-
 ‘ tion, that is not disputed by any subject of
 ‘ *Great Britain*; and with respect to foreigners,
 ‘ our resolutions cannot be of any signification;
 ‘ because foreigners are no way bound, nor can
 ‘ they be fore-closed by any of our determinations.
 ‘ But this is not all, Sir; our coming to such
 ‘ particular and peremptory resolutions, is not
 ‘ only unnecessary, but it would be hurtful. It
 ‘ would

Sir Robert
Walpole's
 speech and
 motion.

‘ would be pushing the thing a great deal too far ;
‘ because it would, in my opinion, make a war
‘ unavoidable. Though every one of the rights
‘ and privileges the honourable gentleman has
‘ been pleased to mention, be secured to us, ei-
‘ ther by the law of nations, or by solemn trea-
‘ ties, or by both ; yet we all know, that they
‘ are now, and always have been, so far disputed,
‘ that the court of *Spain* has never yet acknow-
‘ ledged them, in terms so particular and so ex-
‘ plicit, as the honourable gentleman has been
‘ pleased to propose. In treating between sove-
‘ reign and independent powers, there are certain
‘ methods and forms to be observed, which are
‘ absolutely necessary for bringing any treaty of
‘ peace, commerce, or alliance, to a conclusion.
‘ A sovereign prince or state may often be pre-
‘ vailed on to acknowledge a right or privilege,
‘ or even to make some new concessions, by ge-
‘ neral words, which may be equivalent to, and
‘ as effectual as, the most express and particular
‘ declaration ; and yet that prince or state would
‘ perhaps engage in, or continue the most dan-
‘ gerous and destructive war, rather than make
‘ such an express and particular declaration. For
‘ this reason it is usual and frequent in all treaties,
‘ to make use of general words, in those cases
‘ where either of the contracting parties think
‘ they cannot in honour agree to acknowledge a
‘ right, or make a concession, in express and par-
‘ ticular terms.

‘ This, Sir, has often been the case, particu-
‘ larly between *Spain* and us. I believe no gen-
‘ tleman will doubt of our right to the island of
‘ *Jamaica*. I believe no *British* subject will say,
‘ that it is not absolutely surrendered and suffi-
‘ ciently secured to us, by the treaties now sub-
‘ sisting between the two crowns ; and yet it is a
‘ right which the *Spaniards* still pretend to dis-
‘ pute.

‘ pute. It is a right which they have never yet
‘ acknowledged in exprefs and particular terms.
‘ Even in the year 1670, when they were fuing
‘ for a peace, and for fome new regulations in the
‘ *West-Indies*, and fuing for it, Sir, in as humble
‘ a manner as ever a nation, not absolutely re-
‘ duced, could submit to, they would not ac-
‘ knowledge our right to that ifland in exprefs
‘ terms, nor did we think it neceffary they
‘ fhould. They thought it was inconsistent with
‘ the honour of their crown, to make an exprefs
‘ and particular furrender of that ifland; and we
‘ indulged them fo far as to reft fatisfied with that
‘ furrender and acknowledgment contained in the
‘ general words of that treaty, by which it is de-
‘ clared, “ That we fhould hold and keep all the
“ lands, countries, iflands, colonies, and other
“ places, in the *West-Indies*, or in any part of
“ *America*, which we then held and poffeffed.”
‘ This we then thought a full and fufficient ac-
‘ knowledgment of our right to that ifland; and
‘ it feems our opinion was the fame at the time of
‘ the treaty of *Utrecht*, a treaty which, I am
‘ fure, fome gentlemen that hear me will not pre-
‘ tend to find fault with; for tho’ by that treaty
‘ we may in fome meafure be faid to have given
‘ the kingdoms both of *Old* and *New Spain* to
‘ that family, which has fince given us fo much
‘ difturbance, yet we did not then defire an ex-
‘ prefs and particular acknowledgment of our right
‘ to that ifland, nor of any other of our rights or
‘ privileges in *America*.

‘ From the practice of all nations therefore,
‘ and from our own practice in former treaties,
‘ we not only may, but fometimes ought to fa-
‘ tisfy ourfelves with general words and expref-
‘ fions, in cafes where fuch general words or ex-
‘ preffions may be as effectual, and may render
‘ what we aim at as fecure and indisputable, as if
‘ it

‘ it had been declared or regulated in the most
‘ particular and explicit terms. But, Sir, if in
‘ the present case, this house should come to such
‘ resolutions as have been proposed, it would ren-
‘ der it impossible for us afterwards to accept of,
‘ or propose, any such general acknowledgments
‘ or concessions; for our ministers, and all those
‘ employed in our negotiations with *Spain*, would
‘ certainly look upon the resolutions of this house
‘ as a rule from which they could not depart.
‘ In such a case, I believe no minister would take
‘ upon him to advise his Majesty to make a pro-
‘ position to the court of *Spain*, relating to any
‘ of the matters now in dispute between us, that
‘ was less explicit or less particular than the reso-
‘ lution this house had come to upon that head;
‘ nor would he take upon him to advise his Ma-
‘ jesty to approve of, or ratify any one article in
‘ a treaty, unless it was as full and as particularly
‘ expressed as the resolution we had come to
‘ upon the subject matter of that article. Whe-
‘ ther this would be an incroachment upon the
‘ prerogative of the crown, by which it has the
‘ sole power of making peace or war, I shall
‘ leave to others to determine; for my own part,
‘ I must think, that it would not only be a
‘ taking from his Majesty the power of making
‘ peace, but that it would be a taking from him
‘ the power of judging what sort of instructions
‘ would be most proper to be sent to his ambassa-
‘ dors or envoys at any foreign court, or to his
‘ plenipotentiaries at any future congress. But
‘ this is not the only disadvantage such a method
‘ of proceeding would be attended with: In my
‘ opinion, it would not only make war unavoid-
‘ able, but it would likewise make peace unat-
‘ tainable, till one or other of the parties en-
‘ gaged, were almost utterly destroyed; for tho’
‘ the *Spaniards* may probably be brought to ac-
‘ knowledge

‘ knowledge and confirm all the rights and pri-
‘ vileges now in dispute between them and us,
‘ in general terms, or perhaps in more particular
‘ and express terms than are to be found in any
‘ former treaty between the two nations, yet I
‘ am convinced, they will never agree to ac-
‘ knowledgments so very explicit and particular,
‘ as those contained in the propositions that have
‘ been now laid before us. At least I am con-
‘ vinced, they can never be prevailed on to do
‘ so, unless we should have the good luck, by a
‘ long and successful war, to bring them to as
‘ low an ebb, as ever any nation, not absolutely
‘ conquered, was brought to. We may with as
‘ much probability of success propose forcing them
‘ to sign a *Carte Blanche*, as to propose, either by
‘ fair or foul means, to compel them to make
‘ such particular concessions as are mentioned in
‘ the propositions now before us; and I do not
‘ think it is our interest to endeavour to bring
‘ that nation so low, even tho’ we were certain
‘ of success, and that the other powers of *Eu-*
‘ *rope* would sit still, and tamely behold our tri-
‘ umphs, without either jealousy or envy.

‘ Now, Sir, as I think every one of the rights
‘ at present in dispute between *Spain* and us, may
‘ be as fully secured to us by general words in
‘ a future treaty, as by particular declarations and
‘ concessions: As I think we may, in conse-
‘ quence of such a treaty, continue to enjoy those
‘ rights, with as little disturbance as we now en-
‘ joy the island of *Jamaica*; therefore, if our
‘ ministers can obtain such a treaty, without put-
‘ ting the nation either to the hazard or expence
‘ of a war, I must think they will do their coun-
‘ try a piece of good service; and consequently,
‘ I must think, it would be wrong in this house,
‘ to put it out of their power to negotiate, or
‘ to advise his Majesty to approve of any such
‘ treaty;

‘ treaty; which is what I think would be the in-
‘ fallible consequence of our agreeing to the reso-
‘ lutions proposed. I have, I have always shew-
‘ ed a very great regard for the merchants trading
‘ to and from our plantations: I have as great a
‘ regard for them, and I think them as useful a
‘ body of men as any in the kingdom; but we
‘ must consider, Sir, that we have a great num-
‘ ber of merchants concerned, and a very confi-
‘ derable trade, a most beneficial trade to this na-
‘ tion, in *Spain* and the *Mediterranean*. The for-
‘ mer might, perhaps, be no great losers, they
‘ might even be gainers by a war; whereas the
‘ latter would certainly be undone; and if the
‘ war should be of any duration, some branches
‘ of our *Spanish* and *Mediterranean* trade might
‘ perhaps be irrecoverably lost. I hope I may be
‘ allowed to have some regard for our *Spanish*,
‘ *Italian*, and *Turkey* merchants. Upon their ac-
‘ count, I shall always be for avoiding a war with
‘ *Spain*, as long as possible, and shall never give
‘ my consent to any measure or resolution, that I
‘ think will breed such a quarrel between the two
‘ nations, as must end in the destruction of one
‘ or other.

‘ For this reason, Sir, I shall be against our
‘ coming to any particular and peremptory reso-
‘ lutions, with respect to any of the particular
‘ rights the *Spaniards* now pretend to contest;
‘ but I shall most readily agree to any motion
‘ that can be proposed, for shewing it to be our
‘ opinion, that our merchants have fully proved
‘ their losses, and that the depredations that have
‘ been committed are contrary to the law of na-
‘ tions, contrary to the treaties subsisting between
‘ the two crowns; in short, that they are every
‘ thing bad, and without the least pretence or
‘ colour of justice. This, I say, I shall most wil-
‘ lingly agree to, because, I think, the petitioners
‘ have

‘ have fully proved the allegations of their peti-
‘ tion; I think they have fully proved, that the
‘ subjects of this kingdom have met with such
‘ treatment from the *Spanish Guarda Costa's* and
‘ governors in *America*, as deserves the highest
‘ resentment; but still, I think, if proper satis-
‘ faction and full reparation can be obtained by
‘ peaceable means, we ought not to involve the
‘ nation in a war, from the event of which we
‘ have a great deal to fear; and the utmost we
‘ can hope for from the most uninterrupted suc-
‘ cess, is a proper satisfaction for past injuries,
‘ and a proper security against our meeting with
‘ any such hereafter, both which we are bound
‘ to think there are still hopes of obtaining by
‘ way of negotiation; because, if it had been o-
‘ therwise, his Majesty would certainly have ac-
‘ quainted us with it, and would have desired us
‘ to provide for obtaining by force, what he saw
‘ was not to be obtained by fair means.

‘ As for the method, Sir, in which our nego-
‘ tiations have been hitherto carried on, I do not
‘ think an enquiry into it can, upon the present
‘ occasion, come properly before us; but if it
‘ could, I believe it would be easy to shew, that
‘ they have been carried on in that manner, which
‘ was the most proper for producing an accom-
‘ modation of all the differences subsisting be-
‘ tween the two nations. I shall grant, that there
‘ are certain periods, and certain circumstances,
‘ which may make it the interest of a nation to
‘ be peremptory in every demand they make,
‘ and not to be at any great pains to shew the
‘ reasonableness of their demands, or to answer
‘ the objections that may be made to them; be-
‘ cause, as a nation may sometimes have a con-
‘ quest in view, and may think they have got a
‘ seasonable opportunity for accomplishing their
‘ design, it may be more for their interest to

‘ come to an open rupture, than to continue in
‘ peace upon the most equitable terms; but this
‘ can seldom or never be the case of this nation,
‘ I am sure it is not our case at present; nor has
‘ it ever once been our case for above these twen-
‘ ty years past; and therefore, it would have
‘ been, and still would be, madness in us, to go
‘ to war with any of our neighbours, if there be
‘ any probability of obtaining justice in a peace-
‘ able manner.

‘ From this consideration we may see, Sir, that
‘ it would be imprudent in us to be peremptory
‘ in the demands we make upon any of our neigh-
‘ bours; and for the same reason, we ought to be
‘ at some pains to explain the reasonableness of
‘ our demands, and to answer all the objections
‘ that may be made against them. But with re-
‘ spect to *Spain*, we ought, in my opinion, to
‘ have more patience, and to treat in a milder
‘ method with them, than with any other nation
‘ in *Europe*, not only because of the advantage
‘ we reap by our trade with that nation, but be-
‘ cause his Catholick Majesty is, I am convinced,
‘ as much inclined to do justice, and to preserve
‘ peace, as any Prince in *Europe*. Our not ha-
‘ ving obtained redress before this time, does not,
‘ I believe, proceed from any real intention in his
‘ Catholick Majesty to do this nation an injury,
‘ or to allow any of his subjects to injure us, but
‘ from the nature of the disputes between us,
‘ which depends upon facts, that must be fully
‘ enquired into, and certainly known, before it
‘ can be determined whether they are injurious
‘ or not; and as all those facts happen at a great
‘ distance, it is impossible to have a particular
‘ and distinct account of them in a short time,
‘ especially as it is very much the interest of the
‘ *Spanish* governors in *America* to misrepresent
‘ them. Considering therefore the justice and
‘ the

‘ the uprightness of his Catholick Majesty’s in-
‘ tentions, considering his friendship and good
‘ inclinations towards us, it would have been
‘ wrong in us to make peremptory demands at
‘ first; it would have been wrong in us not to
‘ answer every objection that was made against
‘ any of our demands: On the contrary, our own
‘ interest made it incumbent upon us to make a
‘ full and particular answer to every objection, in
‘ order to convince his Catholick Majesty of the
‘ justice of our demands or pretensions; because,
‘ from that conviction we had, I hope we still
‘ have, great reason to expect full satisfaction.

‘ Having thus, Sir, laid my thoughts before
‘ you, upon the matter now under our considera-
‘ tion, and having given you my reasons for not
‘ approving of all the propositions, the honoura-
‘ ble gentleman has told us he is about to make,
‘ I shall now beg leave to offer an amendment to
‘ his motion, which is, that the first part of his
‘ motion should stand as it is in these words,
“ That it is the natural and undoubted right of
“ *British* subjects to sail with their ships on any
“ part of the seas of *America*, to and from any
“ part of his Majesty’s dominions.” So far I
‘ entirely agree with him; but in my opinion, all
‘ that he has proposed to follow after these words,
‘ ought to be left out; and instead thereof, I pro-
‘ pose, that these words or resolutions ought to
‘ be inserted, “ That the freedom of navigation
“ and commerce, which the subjects of *Great*
“ *Britain* have an undoubted right to by the law
“ of nations, and which is not in the least re-
“ strained by virtue of any of the treaties subsist-
“ ing between the crowns of *Great Britain* and
“ *Spain*, has been greatly interrupted by the *Spa-*
“ *niards*, under pretences altogether groundless
“ and unjust. That before and since the execu-
“ tion of the treaty of *Seville*, and the declaration

“ made by the crown of *Spain*, pursuant thereun-
 “ to, for the satisfaction and security of the com-
 “ merce of *Great Britain*, many unjust seizures
 “ and captures have been made, and great depre-
 “ dations committed by the *Spaniards*, which
 “ have been attended with many instances of un-
 “ heard-of cruelty and barbarity. That the fre-
 “ quent applications made to the court of *Spain*,
 “ for procuring justice and satisfaction to his Ma-
 “ jesty’s injured subjects, for bringing the offen-
 “ ders to condign punishment, and for preventing
 “ the like abuses for the future, have proved vain
 “ and ineffectual; and the several orders or ce-
 “ dulas, granted by the King of *Spain*, for resti-
 “ tution and reparation of great losses sustained,
 “ by the unlawful and unwarrantable seizures and
 “ captures made by the *Spaniards*, have been dis-
 “ obeyed by the *Spanish* governors, or totally e-
 “ vaded and eluded. And that these violences
 “ and depredations have been carried on to the
 “ great loss and damage of the subjects of *Great*
 “ *Britain* trading to *America*, and in direct viola-
 “ tion of the treaties subsisting between the two
 “ crowns.”

‘ I do not know, Sir, if I shall have the good
 ‘ luck to meet with the approbation of this house;
 ‘ but what I have proposed will, in my opinion,
 ‘ be as strong a vindication of all the rights and
 ‘ privileges now in dispute between *Spain* and us,
 ‘ as if every one of them had been particularly
 ‘ mentioned; and, I think, it will be a sufficient
 ‘ testimony of its being the opinion of this house,
 ‘ that the facts set forth in the several petitions
 ‘ now before us, have been fully proved; and
 ‘ that we look upon those facts to be such as are
 ‘ contrary to the law of nations, and to the trea-
 ‘ ties subsisting between the two crowns. It will
 ‘ likewise, I think, testify fully to the world, the
 ‘ resentment of this house, against the depreda-
 ‘ tions

' tions that have been committed upon our mer-
 ' chants, and the cruelties that have been used
 ' towards our seamen; and that we are resolved
 ' not to suffer such practices to be continued in
 ' time to come, nor to allow those that are pass-
 ' ed, to go unpunished. This I must think,
 ' Sir, is the utmost length we can go at present;
 ' it is the utmost length this house ought to go,
 ' because it will answer all the ends we can pro-
 ' pose by the most particular resolutions; and at
 ' the same time it will leave room for putting
 ' an end to all the differences between *Spain* and
 ' us in an amicable manner, which, I have shew-
 ' ed, would very probably be rendered impossi-
 ' ble, in case we should now come to such par-
 ' ticular resolutions, as the honourable gentle-
 ' man near me has been pleased to propose;
 ' therefore I hope even the honourable gentle-
 ' man himself will approve of the amendment
 ' I have offered, to the end that we may appear
 ' to be unanimous in every resolution we may
 ' come to, upon an affair which is of so great
 ' importance to the trade and happiness of this
 ' nation, and to the tranquillity of *Europe* in
 ' general.'

After this *William Pulteney*, Esq; stood up a-
 gain, and spoke to the following effect, viz.

' Mr. Speaker,
 ' Sir, I find the debate upon the affair now Mr. Pulte-
 ney's second
 speech.
 ' before us, is like to take that turn, which I,
 ' from the beginning, imagined it would. Af-
 ' ter I had opened and explained the several
 ' rights and privileges of this nation, which
 ' ought, in my opinion, to be established by
 ' the resolutions of this house, I said I knew it
 ' would not be directly asserted, that they were
 ' not worth the care of a *British* Parliament, but

‘ if either of the two begins to contest any one
‘ of those rights, or to usurp a power that is
‘ inconsistent with any one of them, it then be-
‘ comes necessary for the other nation to have
‘ that right particularly explained, and of-new
‘ established, in the most distinct and explicit
‘ terms: They are bound in duty to mankind,
‘ as well as to themselves, to compel the usurp-
‘ ing nation to pass from that power, which
‘ they have usurped, and to pass from it in such
‘ terms, as shall leave no room for setting up
‘ any such pretence in time to come. Of this
‘ nature are the two first rights which I proposed
‘ to be established; I mean, “ That of its be-
“ ing the right of *British* subjects to sail with
“ their ships on any part of the seas of *America*,
“ to and from any part of his Majesty’s domi-
“ nions;” and “ That of its being the right
“ of *British* subjects to carry in their ships all
“ sorts of goods, merchandize, or effects, from
“ one part of his Majesty’s dominions to any
“ other part of his Majesty’s dominions.”
‘ These, Sir, are two rights which depend upon
‘ the law of nations, and therefore, while nei-
‘ ther of them was contested or incroached on
‘ by *Spain*, it was sufficient for us to have them
‘ confirmed by general words; but of late years
‘ the *Spanish Guarda Costa’s* have been so arro-
‘ gant, that they have usurped a power of en-
‘ tering in a forcible manner, and searching eve-
‘ ry *British* ship they met with in the open seas
‘ of *America*; and they have likewise usurped a
‘ power of determining what sort of goods or
‘ merchandize may be carried in *British* ships,
‘ from one part of the *British* dominions to an-
‘ other. For this reason, it is now become ab-
‘ solutely necessary for us to compel them, ei-
‘ ther by fair or foul means, to pass from both
‘ these usurpations, and to establish and confirm

‘ to us those rights we are intitled to by the law
‘ of nations, not by general words, as formerly,
‘ but particularly and distinctly, and in the most
‘ exprefs and explicit terms.

‘ Then, Sir, as to those rights which may be
‘ peculiar to one nation, and which it may have
‘ acquired, by occupancy, purchase, conquest,
‘ or otherwise, the nation that has made any
‘ fuch acquisition, may at first rest fatisfied with
‘ having their right acknowledged by other na-
‘ tions in general terms; but if any neighbour-
‘ ing nation should begin to conteft their right,
‘ or should begin to interrupt and disturb them
‘ in the poffeffion of a right they had lawfully
‘ acquired, it would then be incumbent upon
‘ them to have their right particularly, distinct-
‘ ly, and exprefsly acknowledged, by that na-
‘ tion at least, that had begun to conteft their
‘ right, or disturb their poffeffion. To apply
‘ this, Sir, to the two laft rights I propofed to
‘ be eftablifhed: It is well known, that we have
‘ long fince acquired a right to make fettlements
‘ in the province of *Jucatan*, and to cut log-
‘ wood in the neighbouring bay of *Campeckey*;
‘ and it is likewise well known, that we have
‘ long fince acquired a right to gather falt in the
‘ ifland of *Tortugas*. Those rights we not only
‘ acquired by a lawful title at first, but they
‘ have fince been oftentimes acknowledged and
‘ confirmed to us, by the crown of *Spain*, in as
‘ exprefs terms as they can be, by general words
‘ or claufes, in any future treaty. While *Spain*
‘ did not pretend to controvert them, or to dif-
‘ turb us in the poffeffion, it was fufficient to
‘ have them confirmed by general words in those
‘ treaties that were made between the two na-
‘ tions; but of late years *Spain* has not only be-
‘ gun to controvert these rights, but has actually
‘ disturbed us in the poffeffion, by feizing our
‘ ships,

‘ ships, and murdering or mal-treating our sea-
‘ men, for no other reason, but because they
‘ were found in the exercise of those rights,
‘ which belonged to them as subjects of the
‘ crown of *Great Britain*. We cannot therefore
‘ now satisfy ourselves with having such rights
‘ acknowledged in general terms: If we ever
‘ come to any treaty with that nation, we ought
‘ to have both of them particularly and expressly
‘ acknowledged. This I say, Sir, we ought to
‘ have, this we will have, if we treat upon an
‘ equal footing, and shew a due regard to the
‘ honour and trade of our native country.

‘ Every one must grant, Sir, that we have as
‘ good a right to cut logwood in the bay of
‘ *Campeckey*, and gather salt in the island of *Tor-*
‘ *tugas*, as we have to the island of *Jamaica*:
‘ The former has been as often confirmed as the
‘ latter, by the general words of the treaties sub-
‘ sisting between us and *Spain*; but the difference
‘ at present is, that the former has been of late
‘ not only contested, but invaded, whereas our
‘ right to *Jamaica* has not of late been openly
‘ contested, nor our possession disturbed; and I
‘ am glad it has not; for I am convinced, that
‘ those who are so fond of peace, as for its sake
‘ to give up our right to cut logwood in the bay
‘ of *Campeckey*, and gather salt in the island of
‘ *Tortugas*, would likewise for the same reason
‘ have given up the island of *Jamaica*, if the
‘ *Spaniards* had revived their pretensions to that
‘ island, and had insisted upon its being restor’d,
‘ as one of the preliminaries.

‘ Thus, Sir, I have shewn, that if we judge
‘ by experience, we can put no further trust in
‘ general words or expressions; and I have also
‘ shewn, that from the nature of things we can-
‘ not now rest satisfied with general acknowledg-
‘ ments or declarations. If we have any regard
‘ for

‘ for the honour or trade of this nation, if we
‘ have any regard for the lives, the liberties, or
‘ the properties of our fellow-subjects, we must
‘ insist, that in any future treaty to be made be-
‘ tween the two nations, every one of the rights
‘ or privileges now in dispute shall be particu-
‘ larly and distinctly acknowledged; and if this
‘ be the case, what harm can there be in our
‘ coming to a distinct and separate resolution,
‘ with respect to every one of the rights I have
‘ mentioned? But this is not all, Sir: If this
‘ had been the first time any application had
‘ been made to us, against the insults and de-
‘ predations of the *Spaniards*; if this had been
‘ the first time we had found it necessary to
‘ come to any resolution upon that head, there
‘ would be some pretence for saying, we ought
‘ to rest satisfied with a general resolution: It
‘ might perhaps be supposed, that such a gene-
‘ ral resolution as the honourable gentleman near
‘ me has been pleased to propose, would be suf-
‘ ficient for procuring a remedy for those evils
‘ our injured countrymen complain of; but we
‘ have twice already come to such a general re-
‘ solution; we have twice already found,
‘ that such a general resolution has proved
‘ altogether ineffectual; and therefore, we are
‘ now both in honour and duty bound to
‘ think of some other method for giving relief
‘ to those who, we find, have so justly com-
‘ plained. Even the resolutions I have propo-
‘ sed may prove ineffectual; I am afraid they
‘ will, unless we alter our conduct; but surely,
‘ the least we can do upon this third application
‘ is, to endeavour to vindicate and establish, by
‘ the resolutions of this house, those rights
‘ which the *Spaniards* have so long dared to dis-
‘ pute with us, and which have so long given
‘ them

‘ them a handle for plundering our merchants,
‘ and cruelly using our seamen.

‘ These rights, ’tis true, Sir, are not disputed
‘ by any of our own subjects, though I do not
‘ know, but there may be some, who, for their
‘ own selfish ends, would be glad to give every
‘ one of them up. I shall likewise grant, that
‘ we cannot pretend to bind or fore-close foreign-
‘ ers, at least in a legal manner, by any of our
‘ determinations or resolutions; but if either of
‘ these were a good reason, for our not coming to
‘ the resolutions I have proposed, there would be
‘ no occasion for our coming to any resolution
‘ at all, relating to the affair now before us. Is
‘ there any subject in the *British* dominions, that
‘ says, or dares say, that our merchants have not
‘ been often plundered, and our seamen mal-
‘ treated, by the *Spaniards* in *America*? Does
‘ any subject of *Great Britain* say, that a proper
‘ satisfaction has yet been obtained for the insults
‘ and injuries, that have been put upon us? What
‘ occasion can we then have, according to the
‘ honourable gentleman’s way of reasoning, for
‘ coming to any resolutions, for ascertaining the
‘ truth of facts, which none of our own subjects
‘ doubt of? For, with regard to foreigners, we
‘ can as little pretend to bind or fore-close them,
‘ with respect to the truth of facts, as we can
‘ pretend to bind or fore-close them, with respect
‘ to the justice or validity of any right we pre-
‘ tend to. Therefore, if this argument were of
‘ any weight, there would be as little reason for
‘ our coming to the resolution the honourable
‘ gentleman has been pleased to propose, as for
‘ our coming to any one of the resolutions I have
‘ mentioned.

‘ But in the case now before us, Sir, we are
‘ not to come to resolutions, with a design to de-
‘ termine absolutely any matter of right, or to

‘ fore-cloſe either our own countrymen or foreign-
‘ ers. The deſign of our reſolutions ought to be,
‘ to ſhew both to our own countrymen and fo-
‘ reigners, that we are reſolved to vindicate and
‘ aſſert, to the laſt drop of our blood, thoſe
‘ rights, which we think belong to us; and,
‘ that both our own countrymen and foreigners
‘ may know, what we look upon as the undoubt-
‘ ed rights and privileges of the nation, thoſe, at
‘ leaſt, which are now conteſted, ought to be
‘ particularly and expreſsly eſtabliſhed by the re-
‘ ſolutions we are to come to upon this occaſion.
‘ This, Sir, will have a good effect upon foreign-
‘ ers, as well as our own countrymen. If there
‘ be any among the latter, who think they may
‘ ſacrifice the honour and intereſt of the nation,
‘ to their own eaſe and ſecurity, by giving up all
‘ or any of the rights now in diſpute between
‘ *Spain* and us, or by allowing them to be any
‘ longer incroached on or violated, they will from
‘ thence ſee, that they muſt expect the utmoſt re-
‘ ſentment and indignation of this houſe; and if
‘ any foreigners, particularly the *Spaniards*, have
‘ been, by our late pacifick conduct, led into a
‘ belief, that we dare not vindicate our known
‘ rights and privileges, ſuch reſolutions will ſhew
‘ them, that, however pacifick, or rather puſil-
‘ lanimous, ſome people amongſt us may be,
‘ however much afraid ſome may be of a war,
‘ the nation itſelf is neither become puſillanimous,
‘ nor is the Parliament of *Great Britain* afraid of
‘ a war, when it becomes neceſſary for preſerving
‘ the trade, or vindicating the honour of the na-
‘ tion. This will make the court of *Spain* ſe-
‘ riously conſider the conſequences of an open
‘ rupture with this nation; and if they do, I am
‘ ſure they will give us full ſatisfaction and ſecu-
‘ rity, rather than come to an open rupture, un-
‘ leſs they have got a greater advantage from our
‘ late

late negotiations and conduct, than is yet generally seen through.

I shall not pretend, Sir, to know, or even to guess at, the present system of politicks in *Europe*: It has been of late so entirely turned topsy turvy, and so little of our foreign politicks have been communicated to this house, that no gentleman can say he has any knowledge of them, if he knows no more than what he has learned by being a member of this house; but this I may venture to say, that if we consider and compare the two kingdoms of *Great Britain* and *Spain* only, and the respective power of each, even as it stands at present, we can have no reason to be afraid of a war with *Spain*, nor can they have reason to expect any triumphs over us. Indeed, if the political affairs of *Europe* have been negotiated into such a system, that *Spain* is now provided with powerful allies, ready to support them in all their pretensions upon us, and this nation not provided with any one ally, whose assistance we can depend on, even in defending our just rights and privileges, we may have some reason for continuing to submit tamely to the most cruel indignities, rather than come to an open rupture; but if this be our unfortunate case, which God forbid! I wish some of those gentlemen, who know something of the present system of politicks in *Europe*, would rise up and make us acquainted with our unlucky circumstances, before we proceed to do any thing that may render them worse. In such a case, I shall admit, we ought to be extremely cautious of doing any thing, that may tend towards involving the nation in a war; but if this be our case, if we cannot extricate the nation out of those difficulties it labours under at present, I am sure we ought to deliver it from the counsellors who have brought it into those difficulties;

‘ culties ; and for that purpose, we ought to enter into an enquiry very different from that we have been upon, and we ought to come to resolutions very different from any that have been proposed.

‘ But I have the pleasure to think, Sir, that this is far from being our case at present ; because, if the nation were in such a melancholy situation, it would be absolutely necessary to reveal it to this house, upon the present occasion ; and as several gentlemen amongst us, must be acquainted with it, I am persuaded that they have a greater regard for their native country, than to conceal what is now so necessary for us to know. I am convinced some of them would have laid our circumstances fully before us, whatever might have been the consequences, either with respect to themselves or their friends. I cannot therefore suggest to myself the least shadow of reason, why we ought to be so much afraid of a war, as to accept of, or agree to, any future treaty, that does not in the most effectual manner secure to us the possession of those rights, which have been lately contested. We have, ’tis true, been told, that *Spain* may think it inconsistent with the honour of their crown, to make any express and particular declarations. Sir, this honour can at best be said to be but an imaginary one ; but suppose it otherwise, they ought to have considered this, before they began to contest any of those matters with us ; for by their having begun to contest them, they have made it inconsistent with the honour of the crown of *Great Britain*, to accept of any general acknowledgments for the future, at least with respect to those rights they have dared to contest ; and if either the imaginary honour of the crown of *Spain*, or the real honour of the crown of *Great Britain* is to be made a sacrifice,

‘ I hope this house will never make the least hesi-
‘ tation in their choice of that which is to be
‘ made the sacrifice ; nor will this nation, I hope,
‘ ever be in such circumstances, as to be under a
‘ necessity of wounding its own honour, in the
‘ most sensible part, for the sake of avoiding a
‘ war with *Spain*, or with any other power in
‘ *Europe*.

‘ For this reason, Sir, we have no occasion to
‘ avoid coming to particular resolutions, for fear
‘ of tying up the hands of our negotiators. On
‘ the contrary, it is one of the strongest argu-
‘ ments for our coming to a particular resolution,
‘ with respect to every right now in dispute be-
‘ tween *Spain* and us ; for of late years, our ne-
‘ gotiators seem to have minded the forms and
‘ ceremonies of treating between sovereign pow-
‘ ers, more than the substantials ; and, therefore,
‘ if, in the present case, no particular directions
‘ be given them by this house, I am afraid they
‘ will accept of such general acknowledgments or
‘ declarations, as will make those rights more dis-
‘ putable than ever they were heretofore. I am
‘ far from thinking, that our coming to particular
‘ resolutions, or our obliging those who may be
‘ hereafter employed to negotiate for us, to insist
‘ upon having those rights now in dispute parti-
‘ cularly acknowledged and confirmed, will make
‘ a war unavoidable ; because, I believe if the
‘ court of *Spain* be once fully convinced, that
‘ nothing less will satisfy us, they will agree to
‘ such particular acknowledgments, rather than
‘ come to an open rupture : But they will certain-
‘ ly wave and put off agreeing to any such, as
‘ long as they think we will bear with it ; be-
‘ cause, in the mean time, they will every now
‘ and then be getting something by the plunder
‘ of our merchants ; and as our ministers have, I
‘ think, already allowed them to dally with us
‘ too

‘ too long upon this head, I hope this house will
‘ now interpose, in order not only to convince
‘ the *Spaniards*, that nothing will satisfy this na-
‘ tion, but a particular acknowledgment of every
‘ right they have taken upon them to dispute ;
‘ but also to convince our ministers, that they
‘ must not any longer allow the *Spanish* court to
‘ trifle with us, as they have done for so many
‘ years past.

‘ But suppose, Sir, that the *Spaniards*, by pre-
‘ suming upon our weakness, timidity, or bad
‘ conduct, should absolutely refuse to come to
‘ any particular settlements with us, will any
‘ man say, that for the sake of avoiding a war,
‘ we ought to accept of a treaty or convention,
‘ from which we can expect no satisfaction for
‘ past injuries, nor security against future ? The
‘ treaty of *Seville* may convince every man, that
‘ we can expect nothing from general acknow-
‘ ledgments, or general promises : From that
‘ treaty, we were told, the nation was to reap
‘ great advantages ; but I know of no man in
‘ the kingdom, that has yet found any advantage
‘ from that treaty, unless it be the commissaries
‘ and their attendants ; and if our ministers should
‘ now procure, or accept of, such another treaty,
‘ as that of *Seville*, I hope they will pardon me,
‘ if I think, that they will do a notable injury to
‘ their country, instead of doing it a piece of
‘ good service. I have as great a regard as the
‘ honourable gentleman can have for our *Spanish*,
‘ *Italian*, and *Turkey* merchants : For their sake,
‘ I think, we ought to insist strenuously upon the
‘ protection of our merchants, and the freedom
‘ of our navigation, in all parts of the world ;
‘ for if we allow our merchants to be plundered,
‘ and our navigation interrupted, in any one part
‘ of the world, our fate will soon come to be the
‘ same in every other part of the world ; and
‘ even

‘ even in the *Mediterranean*, as well as the *Ameri-*
‘ *can* seas, the *Spaniards* have of late begun to
‘ make more free with the *British* flag, than ever
‘ they, or any other nation, durst do in times
‘ past. Let no gentleman therefore pretend, that
‘ his regard for our merchants trading to one part
‘ of the world, ought to prevail with him to al-
‘ low our merchants trading to any other part of
‘ the world, to be plundered and abused.

‘ Sir, it is to our trade and navigation we owe
‘ the whole of our riches, power, and splendor.
‘ Before we had any trade or navigation, this
‘ island was little better than a desert; and if we
‘ should allow both to be destroyed, it will be
‘ soon reduced to its former condition. The ex-
‘ tensive trade and navigation we now have, is
‘ not so much owing to our situation, which has
‘ always been the same, as to the great care we
‘ have taken in these latter ages, that our mer-
‘ chants and seamen should meet with safety and
‘ respect in all parts of the world. Our great
‘ King *Edward* III. shewed such a regard for our
‘ trade and navigation, that upon a complaint
‘ from our merchants, of their having been plun-
‘ dered by the *Spanish* pirates or *Guarda Costa*’s
‘ of those days, he immediately fitted out a fleet,
‘ and went in person to revenge the depredations
‘ that had been committed upon his subjects, by
‘ which he restored the freedom of our com-
‘ merce, and added a naval triumph, to the
‘ many triumphs he had before obtained at land.
‘ The protection of trade and navigation has al-
‘ ways been one of the chief concerns of all
‘ great Kings and all wise nations. Even the
‘ *Romans*, who could never be said to be a tra-
‘ ding people, shewed a great regard for it, as
‘ appears from the reproof *Cicero* gave them in his
‘ days, for some neglect they seem to have been
‘ then guilty of. His words, Sir, upon that oc-
‘ casion,

' cation, are so applicable to this nation at pre-
 ' sent, that I shall beg leave to repeat them. In
 ' advising his countrymen to support the cause of
 ' their injured merchants, among many other
 ' beautiful expressions, he makes use of the fol-
 ' lowing: *Majores vestri sæpe, mercatoribus, ac*
 ' *naviculatoribus injuriosius tractatis, bella gesse-*
 ' *runt.—Quare videte, num dubitandum vobis sit,*
 ' *omni studio ad id bellum incumbere, in quo gloria*
 ' *nominis vestri, salus sociorum, vectigalia maxima,*
 ' *fortunæ plurimorum civium, cum republica defen-*
 ' *duntur.—Videte ne, ut illis pulcherrimum fuit*
 ' *tantam vobis imperii gloriam relinquere, sic vobis*
 ' *turpissimum sit, illud, quod accepistis, tueri &*
 ' *conservare non posse.*

' These are words, Sir, which no true *English-*
 ' *man* will ever forget; and I am sorry to say,
 ' that I think there is too much occasion for en-
 ' forcing the remembrance of them at present.
 ' We have been negotiating and treating with
 ' *Spain* for these twenty years, about nothing
 ' that I know of, unless it was about reparation
 ' and security for our merchants; and yet, du-
 ' ring that whole time, they have been plunder-
 ' ing and abusing our merchants, almost without
 ' intermission. If a nation's being subject to daily
 ' insults and injuries is not a circumstance, that
 ' ought to make it peremptory in its demands,
 ' I am sure no circumstance can. This has been
 ' our case for many years, and will be our case,
 ' till *Spain* be made to acknowledge, in the most
 ' express and particular terms, every one of those
 ' rights they now pretend to dispute. Ought not
 ' this to make us peremptory in our demands?
 ' Ought not it to have made us peremptory long
 ' ago?—Sir, if we had peremptorily insisted upon
 ' full satisfaction and reparation, for the very first
 ' injury that was offered us, I may venture to af-
 ' firm, we would never have been exposed to a
 ' second. Nay, considering the nature of the
 ' injuries

‘ injuries and insults that have been put upon us,
‘ we ought at first to have done what has always
‘ been, and still is, I hope, in our power; we
‘ ought to have taken satisfaction, without being
‘ at any great pains to demand it.

‘ This, Sir, was what *Oliver Cromwell* did in
‘ a like case, that happened during his govern-
‘ ment, and in a case where a more powerful na-
‘ tion was concerned than ever *Spain* could pre-
‘ tend to. In the histories of his time we are
‘ told, that an *English* merchant-ship was taken
‘ in the chops of the channel, carried into St.
‘ *Maloës*, and there confiscated upon some ground-
‘ less pretence. As soon as the master of the
‘ ship, who, we are told, was an honest quaker,
‘ got home, he presented a petition to the Pro-
‘ tector in council, setting forth his case, and
‘ praying for redress. Upon hearing the petition,
‘ the Protector told his council, he would take
‘ that affair upon himself, and ordered the man
‘ to attend him next morning. He examined
‘ him strictly as to all the circumstances of his
‘ case, and finding by his answers that he was a
‘ plain, honest man, and that he had been con-
‘ cerned in no unlawful trade, he asked him, If
‘ he could go to *Paris* with a letter? The man
‘ answered, he could. Well then, says the Pro-
‘ tector, prepare for your journey, and come to
‘ me to morrow morning. Next morning he
‘ gave him a letter to cardinal *Mazarine*, and
‘ told him he must stay but three days for an
‘ answer. The answer I mean, Sir, says he, is,
‘ the full value of what you might have made
‘ of your ship and cargo; and tell the cardinal,
‘ that if it is not paid you in three days, you
‘ have express orders from me to return home.
‘ The honest, blunt quaker, we may suppose,
‘ followed his instructions to a tittle; but the
‘ cardinal, according to the manner of ministers,
‘ began

‘ began to shuffle ; for ministers we know, Sir,
‘ will shuffle, when they are any way pressed ;
‘ therefore the quaker returned, as he was bid.
‘ As soon as the Protector saw him, he asked,
‘ Well, friend, have you got your money ? And
‘ upon the man’s answering he had not, the Pro-
‘ tector told him, then, leave your direction with
‘ my secretary, and you shall soon hear from me.
‘ Upon this occasion, that great man did not
‘ stay to negotiate, or to explain, by long tedi-
‘ ous memorials, the reasonableness of his de-
‘ mand. No, Sir, tho’ there was a *French* mi-
‘ nister residing here, he did not so much as ac-
‘ quaint him with the story, but immediately
‘ sent a man of war or two to the channel, with
‘ orders to seize every *French* ship they could
‘ meet with. Accordingly, they returned in a
‘ few days with two or three *French* prizes,
‘ which the Protector ordered to be immediately
‘ sold, and out of the produce, he paid the
‘ quaker what he demanded for the ship and
‘ cargo, which the *French* had unjustly taken
‘ from him : Then he sent for the *French* minis-
‘ ter, gave him an account of what had hap-
‘ pened, and told him there was a balance, which,
‘ if he pleased, should be paid in to him, to the
‘ end that he might deliver it to those of his
‘ countrymen, who were the owners of the *French*
‘ ships, that had been so taken and sold.

‘ This, Sir, was *Oliver Cromwell*’s manner of
‘ negotiating, this was the method he took for
‘ obtaining reparation ; and what was the conse-
‘ quence ? It produced no war between the two
‘ nations : No, Sir, it made the *French* govern-
‘ ment terribly afraid of giving him the least of-
‘ fence ; and while he lived, they took special
‘ care that no injury should be done to any sub-
‘ ject of *Great Britain*. This shews, that *Oliver*
‘ *Cromwell* had a genius and a capacity for go-
‘ vern-

‘ vernment; and accordingly, however unjustly
‘ he acquired it, it is certain that this nation was
‘ as much respected abroad, and flourished as
‘ much at home, under his government, as it e-
‘ ver did under any government: But when a
‘ nation has the misfortune to have a man set at
‘ the head of her affairs, who knows nothing of
‘ foreign, who knows nothing but the little low
‘ detail of offices, and who, for his capacity or
‘ knowledge, ought never to have been advanced
‘ above the degree of a clerk in the treasury, or
‘ some other of our publick offices, it is then no
‘ wonder to see that nation despised and insulted
‘ abroad, and dissatisfied, mutinous, and seditious
‘ at home.

‘ I wish, Sir, those who have now the direction
‘ of our negotiations abroad, would assume, if
‘ possible, a little of the spirit and courage of O-
‘ liver Cromwell. He had as powerful a party to
‘ struggle with at home, as ever any minister
‘ had; but he never allowed the danger he was
‘ in from that party, to deter him from vindica-
‘ ting, upon all occasions, the honour and interest
‘ of his country abroad. He had too much good
‘ sense to manage in such a pusillanimous man-
‘ ner; for he knew that such management would
‘ have increased the party against him, and would
‘ have made them more daring, as well as more
‘ numerous. If our present negotiators, or those
‘ who have the direction of our negotiations, take
‘ example by him, I am sure they will not accept
‘ of any general acknowledgements or promises;
‘ and therefore there can be no danger in our a-
‘ greeing to the particular resolutions I have pro-
‘ posed. But I am afraid, Sir, they will not. I
‘ am afraid they will, for the sake of patching
‘ up a peace, accept of such terms as will rather
‘ be a new affront to the nation, than an atone-
‘ ment for the insults and injuries we have suffer-

ed. From the resolution the honourable gentleman has been pleased to propose, for I deny it to be an amendment to mine, unless we judge of resolutions or motions, as we judge of men of war, we may see what he thinks will be a sufficient acknowledgment of the rights now in dispute between *Spain* and us: He has reserved only what I may call one beam, or one plank, of what I proposed; he has reserved only the first two or three sentences, and this, he has told us, will, in his opinion, be as strong a vindication of all the rights and privileges, now in dispute between *Spain* and us, as if every one of them had been particularly mentioned. I confess, Sir, the words he proposes to reserve, may be some sort of general acknowledgment of the first two rights I proposed to be established, by the resolutions of this house; but how they can be called an acknowledgment of the last two, I cannot comprehend. The words are, "That it is the natural and undoubted right of *British* subjects, to sail with their ships, on any part of the seas of *America*, to and from any part of his Majesty's dominions." For God's sake, Sir, how is it possible to imagine, that these words can any way relate to our right of cutting logwood in the bay of *Campechey*, or to our right of gathering salt in the island of *Tortugas*? It is impossible to imagine any such thing; and therefore, if we agree to what he has offered, it may be supposed, that we have left our negotiators at liberty, to make a sacrifice of those two valuable rights to their own ease and security.

But, Sir, with respect even to the first two rights, which I proposed to be particularly established, what security can we have from such a general acknowledgment, more than we have at present? Suppose these words, which are, by

the

‘ the honourable gentleman’s proposition, to be
‘ the only words that relate to any of our rights
‘ in *America* or elsewhere, I say, Sir, suppose
‘ these words dressed up in the form of an article
‘ in a future treaty, they would then stand thus:
“ His Catholick Majesty acknowledges and de-
“ clares, that it is the natural and undoubted
“ right of the *British* subjects, to sail with their
“ ships on any part of the seas of *America*, to and
“ from any part of his *Britannick* Majesty’s do-
“ minions.” Now let us compare this new se-
‘ curity for the freedom of our commerce, with
‘ that which we have already, by treaties now
‘ subsisting between the two crowns. By the fif-
‘ teenth article of the treaty of 1670, it is ex-
‘ pressly declared, “ That the freedom of com-
“ merce shall not be interrupted by any manner
“ of means, nor under pretence of any prehemi-
“ nence, right, or signiory, which either party
“ claims in the *West-Indies*, or in any part of *A-*
“ *merica*.” And by the sixth article of the trea-
‘ ty of *Utrecht*, it is expressly declared, “ That
“ as the subjects of their Majesties are to enjoy
“ on both sides an entire, secure, and unmolested
“ use and liberty of navigation and commerce,
“ as long as the peace and friendship, entered
“ into by their Majesties, and their crowns, shall
“ continue; so likewise their Majesties have pro-
“ vided, that the said subjects shall not be de-
“ prived of that security, for any little difference
“ which may possibly arise; but that they shall,
“ on the contrary, enjoy all the benefits of peace,
“ until war be declared between the two crowns.”
‘ From this comparison, can any man say, that
‘ this new security, which is all the honourable
‘ gentleman seems to propose for us, will be any
‘ way more extensive, or more explicit, or more
‘ effectual, than the security we have already?
‘ Can this house then propose, that the nation
‘ should

‘ should now content itself with a renewal only
‘ of that security, which, by dear-bought experi-
‘ ence, we have found to be no security at all?

‘ Sir, I insist upon it, that such a general ac-
‘ knowledgment or declaration, would be so far
‘ from being a security, that it would be nothing
‘ like a determination of the principal affair now
‘ in dispute between *Spain* and us. His Catholick
‘ Majesty never pretended, that *British* subjects
‘ have not a right to sail with their ships on any
‘ part of the open seas of *America*; nor do we
‘ pretend, that we have a right to sail to and
‘ traffick in the ports, havens or places possessed
‘ by the *Spaniards* in *America*, any farther than is
‘ allowed us by the *Assiento* contract. But the
‘ King of *Spain* pretends, that, in order to disco-
‘ ver whether any of our ships have been sailing
‘ to and trafficking with his subjects in *America*,
‘ he has a right to enter and search our ships up-
‘ on the open seas; and that, if upon such search it
‘ be found, that they have any of those goods on
‘ board, which he says can be found no where
‘ but in his dominions in that part of the world,
‘ it is a full proof that they have been carrying
‘ on an illicit trade with his subjects, and that
‘ therefore he has a right to seize and confiscate
‘ the ship and cargo. On the contrary, we con-
‘ tend, and with justice we contend, that he has
‘ no right to search any *British* ship on the open
‘ seas, either in *America* or elsewhere; but that
‘ in all cases, and in all seas, if a *Spanish* ship of
‘ war, or *Guarda Costa*, meets a *British* ship at
‘ sea, the *Spanish* ship is by the fourteenth article
‘ of the treaty of 1667, “ not to come within
“ cannon shot of the *British* ship, but shall send
“ their long boat or pinnace to the *British* ship,
“ with only two or three men on board, to whom
“ the master or owner shall shew his passports
“ and sea-letters, whereby not only the ship’s la-
“ ding,

“ ding, but the place to which she belongs, and
“ as well the master and owner’s name, as the
“ name of the ship, may appear; by which means
“ the quality of the ship, and her master or own-
“ er, will be sufficiently known, as also the com-
“ modities she carries, whether they be contra-
“ band or not, to the which passports and sea-
“ letters, intire faith and credit shall be given.”

‘ And supposing, Sir, it should appear, by the
‘ *British* ship’s passports and sea-letters, that she
‘ is sailing to or from any *Spanish* port, and has
‘ prohibited goods on board; by the fifteenth ar-
‘ ticle of the same treaty, “ Those prohibited
“ goods only are to be seized or confiscated, and
“ not the other goods; neither shall the delin-
“ quent incur any other punishment, except he
“ carry out from the dominions of *Spain* any gold
“ or silver, wrought or unwrought.” Or, sup-
‘ posing it should appear by the *British* ship’s
‘ passports and sea-letters, that she is bound to a
‘ port belonging to some power, then at war with
‘ the King of *Spain*, and has contraband goods on
‘ board; by the twenty-third article of the same
‘ treaty, “ Such goods only shall be taken out
“ and confiscated; but for this reason the ship,
“ and the other free and allowed commodities,
“ which shall be found therein, shall in no wise
“ be either seized or confiscated.”

‘ I must observe, Sir, that this treaty of 1667,
‘ was a general treaty, which comprehended *A-*
‘ *merica* as well as every other part of the world,
‘ therefore the methods thereby established, for
‘ visiting our ships at sea, ought to be observed
‘ in the *American* seas, as well as the *Mediterrane-*
‘ *an*, bay of *Biscay*, or any other open sea; and I
‘ must likewise observe, that though by this trea-
‘ ty we got no permission to trade with the *Spa-*
‘ *nish* plantations in *America* or the *West-Indies*,
‘ yet we did not, by that treaty, lay ourselves
‘ under

‘ under any exprefs obligation not to trade with
 ‘ them: We did not lay ourselves under any fuch
 ‘ obligation, till the year 1670; fo that the *Spaniards*
 ‘ have no right either to fearch or feize
 ‘ our fhips, but what they have by the law of
 ‘ nations, or what they got by the treaty of 1670.
 ‘ By the law of nations, they have no right to
 ‘ fearch or feize any fhip, unlefs fhe be found
 ‘ within fome part of their dominions; therefore
 ‘ they have no right to fearch or feize any of our
 ‘ fhips, upon any part of the open feas of *Ameri-*
 ‘ *ca*. And by the treaty of 1670, we obliged
 ‘ ourfelves only not to navigate or traffick in the
 ‘ havens and places, that are in the poffeffion of
 ‘ the Catholick King in the *West-Indies*; there-
 ‘ fore, as the open feas of *America* are not, as we
 ‘ can never allow them, or any part of them, to
 ‘ be in his poffeffion, he can have no right, by
 ‘ that treaty, to fearch, much lefs to feize any of
 ‘ our fhips, that are failing upon the open feas of
 ‘ *America*.

‘ On the contrary, Sir, by the articles of the
 ‘ treaty of 1667, the *Spanifh* men of war and
 ‘ *Guarda Costa’s* are exprefsly, and very particu-
 ‘ larly, obliged not to come within cannon fhoot
 ‘ of any *British* fhip failing upon the open feas;
 ‘ and if they have a mind to vifit or fee the paff-
 ‘ ports and fea-letters of any fuch fhip, they are
 ‘ exprefsly obliged not to fend above two or three
 ‘ men on board for that purpofe; and to thofe
 ‘ paffports and fea-letters they are exprefsly obli-
 ‘ ged to give intire faith and credit; which laft
 ‘ words cut off every pretence, they can have, for
 ‘ making a fearch; and by the very nature of the
 ‘ thing, they can feize no goods, even of thofe
 ‘ that are mentioned in the bills of lading, unlefs
 ‘ the fhip be bound to or from fome port of
 ‘ *Spain*, or to fome port belonging to the King
 ‘ *in*’s declared enemies; becaufe fhe can have

‘ no goods on board that can, by the *Spaniards*,
 ‘ be called prohibited, unless she be bound to or
 ‘ from some of their ports; and she can have no
 ‘ contraband goods on board, unless she be bound
 ‘ to a port possessed by their enemies. Nay,
 ‘ even in these two cases, they cannot pretend to
 ‘ make prize of ship and cargo: They can
 ‘ seize and confiscate only those goods, which
 ‘ are prohibited or contraband.

‘ From what I have said, Sir, the injustice of
 ‘ the King of *Spain*’s pretensions must evidently
 ‘ appear: It must appear evident, that he has
 ‘ no right to search any of our ships sailing
 ‘ upon the open seas of *America*; and much less
 ‘ has he a right to limit and prescribe what sort
 ‘ of goods they shall carry from one part of
 ‘ the *British* dominions to another, or to deter-
 ‘ mine, that their carrying any one sort of
 ‘ goods shall be a proof of their having been
 ‘ carrying on an illicit trade with his subjects in
 ‘ *America*. These are usurpations lately set up
 ‘ in direct opposition to the law of nations, and
 ‘ notwithstanding the general acknowledgment
 ‘ of a free commerce and navigation, so often
 ‘ and so solemnly repeated in the treaties now
 ‘ subsisting between us; and these, Sir, are u-
 ‘ surpations which they have set up, under the
 ‘ false and frivolous pretence, that such practices
 ‘ are not inconsistent with the freedom of com-
 ‘ merce or navigation, and therefore not con-
 ‘ trary to the general acknowledgments and de-
 ‘ clarations contained in those treaties. Does
 ‘ not this shew, Sir, that a general acknowledg-
 ‘ ment of our right to sail on any part of the
 ‘ seas of *America*, will not determine the ques-
 ‘ tion in dispute between us? Dors not it shew,
 ‘ that such a general acknowledgment will leave
 ‘ us as much liable to insults and depredations,
 ‘ after it is obtained, as we have been for these

' tinue our negotiations yet a while longer, I
 ' believe, most gentlemen that hear me will ad-
 ' mit, that they ought to be carried on with
 ' more vigour, and in a more peremptory man-
 ' ner, than they have been for many years past;
 ' and that whatever may be the result of this
 ' day's debate, our negotiators at least ought to
 ' insist upon particular explanations and express
 ' declarations, with respect to every matter of
 ' right now in dispute; but more especially with
 ' respect to that right the *Spaniards* have lately
 ' usurped, of searching our ships upon the open
 ' seas.

' For this reason, Sir, among many others,
 ' if the question is to be put upon the amend-
 ' ment proposed, I hope gentlemen will disagree
 ' to it, in order that we may come at putting
 ' the question upon the several resolutions, I
 ' have taken the liberty to lay before you.'

The right honourable Sir *Robert Walpole* like-
 wise stood up again, and spoke in substance as
 follows, *viz.*

' Mr. Speaker,

' Sir, I wish, that gentlemen, in their de-
 ' bating upon the affair now before us, would
 ' take care to keep to the point really in dis-
 ' pute; for by so doing, I am sure, they would
 ' very much shorten the debate. In what I took
 ' the liberty to trouble you with upon this sub-
 ' ject, I am certain, I did not drop the least
 ' word, that could intimate so much as a doubt
 ' about any of the rights or privileges, which
 ' the court of *Spain* now pretends to contest with
 ' us. So far otherwise, I expressly declared, that
 ' I agreed with every thing the honourable gen-
 ' tleman had said in support of them; and I am
 ' still convinced, that no gentleman either with-

Sir Robert
Walpole's
 second
 speech.

‘ in or without doors, will so much as insinuate,
‘ that our title to any one of those rights and
‘ privileges, is in the least doubtful; therefore
‘ I must think, that whatever the honourable
‘ gentleman has since been pleased to add, what-
‘ ever may hereafter be said, in support of any
‘ of those rights or privileges, or for explaining
‘ and demonstrating the justice of our title to all,
‘ or any one of them, is a sort of fighting with
‘ the wind: It is arguing without an opponent;
‘ and consequently, I must beg leave to say,
‘ that I think it is taking up a great deal of your
‘ time to no purpose.

‘ The only question in dispute among us, Sir,
‘ is, whether we ought now to come to a particu-
‘ lar resolution, upon every particular right or
‘ privilege, which the court of *Spain* pretends to
‘ contest with us; or, if we ought only to come
‘ to one general resolution, which may virtually
‘ include them all, and so leave it entirely to his
‘ Majesty, and those employed by him, to ob-
‘ tain such farther explanations, and such parti-
‘ cular acknowledgments, as the present or fu-
‘ ture circumstances of affairs may make proper
‘ for him to insist on? This, Sir, is the only
‘ point now in dispute amongst us; and there-
‘ fore, without taking notice of what the ho-
‘ nourable gentleman has now been pleased to
‘ add to what he formerly said, for explaining
‘ and enforcing the justice of our title to those
‘ rights and privileges, which the *Spaniards* have
‘ lately taken upon them to contest, I shall only
‘ add a few words for enforcing what I have said
‘ before, in favour of the general resolution I
‘ proposed, and then I shall endeavour to an-
‘ swer the few arguments that have been made
‘ use of, for shewing that we ought to come to
‘ particular resolutions, upon every particular
‘ right or privilege, now contested by *Spain*.

‘ The

‘ The honourable gentleman has told us, that
‘ not only our negotiators ought to insist posi-
‘ tively and peremptorily upon particular expla-
‘ nations and express acknowledgments, with re-
‘ spect to every particular right or privilege late-
‘ ly contested, but that this house ought now to
‘ come to such resolutions as may make it abso-
‘ lutely necessary for them to insist upon such.
‘ I wish, Sir, with all my heart, I believe every
‘ honest subject of *Great Britain* wishes, that it
‘ were in our power to give laws to every poten-
‘ tate in *Europe*, and to prescribe to them how
‘ they should behave, in every case, not only to
‘ us, but to one another. But this is at present
‘ impossible; and even though we had a proba-
‘ bility of success in any such attempt, I do not
‘ think it would be prudent in us to attempt
‘ making use of our power in a manner, too po-
‘ sitive and haughty, lest by so doing we should
‘ provoke the other powers of *Europe* to unite
‘ together, in order to reduce the power of this
‘ nation, and to make us submit to such laws as
‘ they might be pleased to prescribe to us, in-
‘ stead of our prescribing to all or any of them.
‘ For this reason, Sir, in all our negotiations,
‘ we must have a regard to policy, as well as to
‘ what we think justice, and we must take care,
‘ in the demands we make upon any one of our
‘ neighbours, not to insist so positively and so
‘ haughtily, even upon those terms we may
‘ think reasonable, as to excite the jealousy of
‘ the rest. In contests between nations, it is the
‘ same as in contests between private men: Each
‘ party thinks himself right; and as there is no
‘ judge or judicature, that has a right to deter-
‘ mine finally in those contests, that happen be-
‘ tween two independent nations, both ought to
‘ consult the sentiments of their neighbours, and
‘ both ought to limit their demands, or extend
‘ their

‘ their compliances, according to that opinion,
‘ which they find prevails generally among their
‘ most impartial neighbours. This may often be
‘ a reason for a nation’s accepting of general de-
‘ clarations, in cases where particular explanations,
‘ and express concessions, would not only be just,
‘ but much more to their honour and advantage.

‘ I shall, I believe, Sir, every gentleman in this
‘ house will, readily acknowledge the justice and
‘ reasonableness of every one of our demands
‘ upon *Spain*; but whatever opinion we may have
‘ about the matters now in dispute between us,
‘ it is certain the court of *Spain* does not as yet
‘ think our demands either reasonable, or just;
‘ I am persuaded his Catholick Majesty, at least,
‘ does not think so, otherwise his natural propen-
‘ sity to justice, which is so well known, would
‘ certainly have induced him to comply with our
‘ demands. Even the other courts of *Europe*
‘ cannot perhaps be prevailed on to think of
‘ them in the same way we do; and if we should
‘ too peremptorily insist upon our present demands
‘ against *Spain*, and should resolve to compel
‘ them to agree to such terms as we had a mind
‘ to propose, and to acknowledge our rights and
‘ privileges in such a manner, and by such words
‘ and expressions, as we should think fit to pre-
‘ scribe, it might stir up some of the other pow-
‘ ers of *Europe* to join with *Spain*, who would
‘ otherwise have remained neutral; and it might
‘ prevent our best friends and most natural allies
‘ from giving us their assistance, in a war, which
‘ we had unnecessarily and imprudently brought
‘ upon ourselves.

‘ What the present system of politicks in *Eu-
‘ rope* may be, I shall not pretend, Sir, to deter-
‘ mine: I do not believe any gentleman in this
‘ house can. It is a system that depends upon the
‘ humour of so many courts, and upon so many
‘ acci-

‘ accidents at every one of these courts, that
‘ it must be altering and changing every day.
‘ Therefore it is impossible to communicate it to
‘ this house; nor can we, if it were now commu-
‘ nicated, in common prudence, allow it to have
‘ any great influence on our resolutions. It may
‘ be at present in such a state, as might make it
‘ prudent in us to lay hold of the opportunity,
‘ in order to have all matters in dispute between
‘ *Spain* and us settled and determined, in the
‘ most particular and explicit manner; and yet,
‘ before we could possibly take advantage of the
‘ opportunity, which the then system of politicks
‘ had furnished us with, it might be so much
‘ changed to our disadvantage, as would make it
‘ prudent in us to lower our crest, and accept of
‘ any expedient, for putting off our being obliged
‘ to come to an open rupture with *Spain*, at such
‘ an unseasonable juncture.

‘ This, Sir, shews the wisdom and the excel-
‘ lence of our constitution, which has trusted en-
‘ tirely to the crown, the power of making peace
‘ and war; and at the same time, it shews how
‘ imprudent it would be in us to incroach upon
‘ that prerogative, by laying the crown under a
‘ necessity to make war, however unseasonable,
‘ however perverse the conjuncture may be. All
‘ matters relating to peace or war, besides the se-
‘ crecy that is requisite, are liable to so many
‘ changes, and to such sudden and unlooked-for
‘ alterations, that nothing but a single person, or
‘ an assembly that is continually subsisting, can
‘ be exactly informed of every incident that oc-
‘ curs, or can have such a thorough knowledge
‘ of foreign affairs, as to be able to foresee the
‘ lucky or the cross incidents that may probably
‘ occur, so as to take an immediate advantage of
‘ the former, or so as to take such measures as
‘ may prevent the dangerous consequences of the
‘ latter.

‘ latter. Therefore, while our happy constitution remains intire, while the Parliament meets but once a year, and does not continue assembled above three or four months in the twelve, it is impossible for either house of Parliament to intermeddle, much less to prescribe to the crown, in any affairs relating to peace or war, without exposing the nation to imminent danger.

‘ I shall grant, Sir, that after the rights of a nation have been contested and invaded, or after an unjust claim has been actually set up, there is greater occasion for particular explanations, and exprefs concessions, than there was before; but nations must chuse proper times and seasons for insisting even upon that, which they are most justly entitled to; and whether the present be a proper time for our insisting, in a peremptory manner, upon the utmost we are entitled to, with respect to *Spain*, is a consideration which this house cannot pretend to be a competent judge of; because no man can judge in such a case, without knowing thoroughly the circumstances and complexions of all the courts in *Europe*, which is a knowledge no man can pretend to, without having previously been made fully acquainted with all the secrets of the cabinet; and I am sure, no man who wishes well to his country, would desire, or can expect, that his Majesty should communicate all the secrets of his cabinet to such a numerous assembly. Nay, if he should, it would not enable us to determine what might be proper to be done a month hence; for that very communication might probably occasion a thorough change in the face of affairs all over *Europe*; which change might make those measures destructive to the nation, which at present may be justly thought the most salutary and prudent. In my
I opinion

‘ opinion therefore, the best thing we can do, up-
‘ on the present occasion, is, to come to some ge-
‘ neral resolution, in order to shew the resentment
‘ of the nation against the insults and injuries we
‘ have met with, and to leave it entirely to his
‘ Majesty’s care and wisdom, to get such satisfac-
‘ tion, and to get our particular rights as fully ac-
‘ knowledged, as time and future circumstances
‘ will permit; for if the *Spaniards* should prove
‘ more obstinate than we have reason to expect,
‘ and his Majesty should, in his great wisdom,
‘ find that he has a proper opportunity for com-
‘ pelling them to do, what in justice they ought,
‘ he will certainly make use of that opportunity.
‘ Our coming to a general resolution can no way
‘ oblige his Majesty to accept of general acknow-
‘ ledgments, if he finds that he can, either by fair
‘ or foul means, obtain particular and express con-
‘ cessions; but our coming to particular and expli-
‘ cit resolutions, will render it impossible for his
‘ Majesty, either to propose or accept of general
‘ acknowledgments, even though he should then
‘ be convinced, that the nation could not come to
‘ an immediate rupture, with any prospect of ad-
‘ vantage; so that our coming to a general resolu-
‘ tion cannot possibly be attended with any bad
‘ consequence, whereas our coming to particular
‘ resolutions, may force the nation into a war at a
‘ very unseasonable juncture, which of course may
‘ be attended with the most fatal consequences.

‘ I shall likewise admit, Sir, that the first part
‘ of the resolution offered by the honourable gen-
‘ tleman, which I propose should stand part of the
‘ resolution of this house, does not comprehend
‘ the rights or privileges we have to cut logwood
‘ in the bay of *Campechey*, and to gather salt in
‘ the island of *Tortugas*; but the disturbance we
‘ have met with in the exercise of these two rights,
‘ will, I think, be sufficiently comprehended un-

‘ der the following words, in the resolution or a-
 ‘ mendment I have proposed, by which we are to
 ‘ declare, “ That before and since the execution
 ‘ of the treaty of *Seville*, and the declaration made
 ‘ by the crown of *Spain*, pursuant thereunto, for
 ‘ the satisfaction and security of the commerce of
 ‘ *Great Britain*, many unjust seizures and captures
 ‘ have been made, and great depredations com-
 ‘ mitted, by the *Spaniards*.” For all the *British*
 ‘ ships that have been seized and confiscated, for
 ‘ cutting logwood in the bay of *Campechey*, or
 ‘ for gathering salt in the island of *Tortugas*, ought
 ‘ to be reckoned among those unjust seizures and
 ‘ captures, which we complain of. However, as
 ‘ I said before, by keeping thus in general terms,
 ‘ we do not lay the crown under any obligation to
 ‘ accept of general acknowledgments: His Majes-
 ‘ ty, if he finds the circumstances of affairs will
 ‘ permit, may insist upon both those rights being
 ‘ particularly and expressly acknowledged.

‘ The freedom of our commerce and navigation,
 ‘ Sir, is the principal affair in dispute between the
 ‘ two nations, and that which, in our resolution,
 ‘ we ought to shew the greatest regard to. For
 ‘ this reason, I proposed keeping in the first part
 ‘ of the honourable gentleman’s proposition; and,
 ‘ I think, the words I have proposed to be kept
 ‘ in, will be a sufficient vindication of our right to
 ‘ a free commerce and navigation in the open seas
 ‘ of *America*, without adding any explanations.
 ‘ His Majesty may nevertheless, if he finds it pro-
 ‘ per, insist upon explanations; but I do not think
 ‘ we should, by our resolution, so limit his Majes-
 ‘ ty, that he cannot hereafter agree to any treaty,
 ‘ without such explanations; because, if the *Spa-*
 ‘ *niards* should make satisfaction to us for what
 ‘ injuries they have done, and agree, even in ge-
 ‘ neral terms, to a renewal of all the treaties now
 ‘ subsisting between the two crowns, we ought to
 ‘ accept

‘ accept of it, rather than engage in a war; espe-
‘ cially, if it appears, that they agree to such a
‘ new treaty with a real design to observe it; for
‘ if we should afterwards find ourselves deceived,
‘ if they should begin to play the same game over
‘ again, we may, in all probability, find a more
‘ seasonable opportunity than the present, for pu-
‘ nishing their breach of faith, and enforcing the
‘ observance of treaties.

‘ For my own part, Sir, I do not pretend to
‘ know any secrets about the present circumstances
‘ of affairs in *Europe*; I do not pretend to know
‘ what allies *Spain* may expect, or what assistance
‘ we have to depend on, in case of a war between
‘ the two nations; but from what is publick and
‘ well known, I think every gentleman ought to
‘ conclude, that the present circumstances of affairs
‘ in *Europe*, are none of the most favourable for
‘ this nation, and that many accidents may occur,
‘ which may render them much more favourable,
‘ than they are at present; therefore, however
‘ much some gentlemen may take upon them to
‘ ridicule the tediousness of our negotiations, I
‘ think it is much more prudent to protract and
‘ draw them out to a length, than to run the na-
‘ tion headlong into an unequal war, or to give
‘ up any of our rights and privileges by a precipi-
‘ tate treaty.

‘ I am indeed surprized, Sir, to hear it insinua-
‘ ted, that, because I am not for such particular
‘ resolutions, as I think may force the nation into
‘ an unnecessary or unseasonable war, therefore I
‘ do not think the matters now in dispute between
‘ *Spain* and us, worth the care of a *British* Parlia-
‘ ment. Sir, I think every one of them greatly
‘ deserves the care of every branch of our legisla-
‘ ture; but, I think, we should not take an im-
‘ proper opportunity, or improper methods, for
‘ shewing that care; we should not, like an over
‘ fond

‘ fond mother, destroy our child, by taking im-
‘ prudent or unseasonable methods for preserving
‘ it. While the dispute remains in the shape of
‘ a negotiation, the only proper way we can take
‘ for shewing our care, is, by general resolutions
‘ and addressees, to assure his Majesty, that we
‘ will support him in whatever measures he may
‘ think proper, for asserting the rights and privi-
‘ leges of the nation; and after his Majesty has
‘ declared to us, that he finds he can vindicate
‘ those rights and privileges no other way but by
‘ force of arms, which certainly he will not do,
‘ till he finds he can engage in war, at least upon
‘ an equal footing, if not with a more than pro-
‘ bable view of success, we are then to shew our
‘ care and concern for the rights and privileges of
‘ our country, by enabling his Majesty to vindi-
‘ cate them, with that vigour, which becomes
‘ such a powerful nation.

‘ I hope, Sir, I am as zealous in the defence
‘ of the rights and privileges of my country, as
‘ any man in the kingdom; but I shall never al-
‘ low my zeal to carry me beyond the bounds of
‘ prudence and discretion. I shall never affect
‘ popularity so much, as to be guided by those
‘ popular prejudices, which, I think, if indulged
‘ and followed, might involve the nation into
‘ great, perhaps insuperable, difficulties. Such
‘ a conduct I shall always look on as imprudent
‘ in the authors, as well as pernicious to the na-
‘ tion; for if, upon the present occasion, or any
‘ such occasion, we should unnecessarily hurry
‘ the nation into a war, and the event should not
‘ answer the peoples expectations, I know who
‘ would be blamed, I know who would be the
‘ first to move for an enquiry into the conduct of
‘ those, who had allowed the nation to be led
‘ into a war, which it could not prosecute with
‘ advantage; and as we cannot judge, whether,
‘ upon

‘ upon the present occasion, the circumstances of
 ‘ *Europe* are such as may enable or permit us to
 ‘ prosecute a war against *Spain* with advantage,
 ‘ therefore I must be against our coming to such
 ‘ resolutions as will, in my opinion, make a war
 ‘ with *Spain* not only unavoidable, but imminent.’

After Sir *Robert Walpole*, *Walter Plummer*, Esq;
 stood up, and spoke to this effect, viz.

‘ Mr. Speaker,
 ‘ Sir, The honourable gentleman that spoke Mr. Plummer's speech.
 ‘ last, seems to mistake the point in question,
 ‘ though he himself was the first, and, I believe,
 ‘ the sole occasion of our present debate; for if
 ‘ he had not opposed what was moved, nor of-
 ‘ fered any amendment, I have some reason to
 ‘ believe, we should have unanimously agreed to
 ‘ what was first proposed. This, Sir, we shall
 ‘ be fully sensible of, if we consider the affair
 ‘ now before us, and how it came before us:
 ‘ The affair now under our consideration was
 ‘ brought before us by petitions from our injured
 ‘ and plundered *West-India* merchants; and the
 ‘ petitioners, after representing their sufferings,
 ‘ pray for such a timely and adequate remedy, as
 ‘ may put an end to their sufferings, and such re-
 ‘ lief for the unhappy sufferers, as the nature of
 ‘ their case, and the justice of their cause, may
 ‘ require. The chief question now before us is,
 ‘ therefore, what we shall do, or what we may
 ‘ be able to do, for answering effectually the
 ‘ prayer of their petitions? For the petitioners
 ‘ have so fully proved their allegations, to the re-
 ‘ gret and sorrow of almost every man that heard
 ‘ them, that no question can be made about the
 ‘ truth of what they have set forth.

‘ Upon this, Sir, which I take to be the first
 ‘ and chief question, it seems to be the opinion of

‘ this house, that the only thing we can do at
‘ present, for procuring them any remedy or re-
‘ lief, is, to come to some resolutions, relating to
‘ the rights that are contested, and the injuries
‘ that have been done to our merchants. My
‘ honourable friend over the way has proposed
‘ a set of particular resolutions, which, I think,
‘ may in all probability produce some effect; and
‘ the honourable gentleman near him has pro-
‘ posed a general resolution, which, from expe-
‘ rience we know, must be altogether ineffectual;
‘ so that the real question now in dispute is, Whe-
‘ ther we shall come to such resolutions as may
‘ probably be effectual, for procuring that remedy
‘ and relief which the petitioners pray for; or,
‘ if we shall come to a resolution, which, if we
‘ judge by experience, we must conclude to be in-
‘ effectual? It is now ten years since the same
‘ sort of complaint was made to us; and we then
‘ came to such a general resolution as the ho-
‘ nourable gentleman has, by his amendment,
‘ proposed: It is eight years since a second com-
‘ plaint of the same nature was made to us, and
‘ we again came to the same sort of general reso-
‘ lution: These general resolutions have been so
‘ far from procuring any relief for those who had
‘ then suffered, that many insults have been since
‘ put upon the nation, and many new depreda-
‘ tions committed; therefore, from repeated ex-
‘ perience we must conclude, that such a general
‘ resolution will never prove effectual for putting
‘ an end to the sufferings of our merchants, or
‘ for procuring relief to those that have already
‘ been the unhappy sufferers. Shall we then,
‘ upon this third application, amuse the unhappy
‘ sufferers with such a resolution as, we know,
‘ can have no effect? Shall we reduce our plant-
‘ ers, our merchants, and our seamen to despair,
‘ by insinuating that we dare come to no resolu-
‘ tions,

‘ tions, but such as they know can procure them
‘ neither reparation nor security? This, Sir, is
‘ the question, and the only question now before
‘ us; and to such a question I shall be proud of
‘ giving a negative.

‘ Sir, upon the present occasion, I could almost
‘ wish it were in the power of this house, to act
‘ as well as resolve: I could almost wish it were
‘ in our power to send out squadrons and armies,
‘ and to give such orders and instructions to those
‘ squadrons and armies, as might be worthy of
‘ the *British* nation, and sufficient for enabling
‘ them to revenge the injuries their country has
‘ received. This, ’tis true, is not in our power,
‘ but surely we may, and, I think, we ought to
‘ come to such resolutions, as may give our mer-
‘ chants and seamen some hopes of meeting at
‘ last with reparation for what is passed, and secu-
‘ rity in time to come. For this purpose we must
‘ come to resolutions, stronger and more particu-
‘ lar than any of those we have yet come to: If
‘ we do not, we must expect, that our planters,
‘ merchants, and seamen, will give over having
‘ any further concern in trade, or fly to foreign
‘ countries for that protection, which they see
‘ they can no longer hope for in their own. The
‘ particular resolutions which my honourable
‘ friend was so good as to move for, may have
‘ some effect: They will administer to our fel-
‘ low subjects the comfort at least of hoping for
‘ redress; and they may perhaps convince fo-
‘ reigners that this nation is not now in a humour
‘ to wait another ten years, for that justice and
‘ satisfaction, which we ought to have had ten
‘ years ago; whereas, if we should now come
‘ to no other resolution, but such a general one
‘ as we have twice already come to without any
‘ effect, our own people will despair of ever meet-
‘ ing with redress; and I can see no reason why
‘ we

‘ we should expect it will now have a greater effect upon the conduct of *Spain*, than it had eight or ten years ago.

‘ We have been told, Sir, that such particular resolutions as were at first proposed, will put it out of the power of his Majesty’s ministers, to advise him to accept of general acknowledgments or declarations in any future treaty, and may consequently involve the nation in a war at a very unseasonable juncture. What the present conjuncture may be, I must confess I am quite ignorant of; but considering our situation, and the many disputes that must necessarily happen, as well as the jealousy that must continually subsist, between the several powers upon the continent, I must think, that, without some very imprudent sort of conduct, we can never long want a proper opportunity for vindicating and asserting our rights and privileges, against any nation that shall dare to invade them; and therefore, while we have the good fortune to be under an administration fully apprized of the particular interests, and most secret views of every state in *Europe*, and ready to take advantage of every quarrel or jealousy that may arise between any of the powers upon the continent, I must think, we can never be in danger of being involved in war at an unseasonable juncture. Indeed, if we were under the government or administration of one sole prime minister, and that minister quite ignorant of foreign affairs, or such a one whose integrity none could trust, whose faith no foreign state could rely on, whose ignorance of all the arts of government, except one, had appeared from every step of his conduct; I say, if we were so unlucky as to be under the government of such a prime minister, there might be some reason for our avoiding to come to any resolutions, that might tend to-

‘ wards

‘ wards involving the nation in war ; because, in
‘ such a case, we could expect no assistance from
‘ any of our allies, nor success from our own
‘ conduct. But, Sir, if this were our case, which
‘ it neither is, nor can be, as long as our constitu-
‘ tion subsists, what would then be the duty of
‘ this house ? Would it not be our duty, to en-
‘ quire into the state of the nation, and deliver
‘ our country from such polluted hands ? Would
‘ not we be in honour and conscience obliged to
‘ exert that power which is placed in this house
‘ by our constitution ? Would not we be obliged
‘ to call such a minister to an account, and pull
‘ him from the summit of his power ? For while
‘ he continued in the administration, we could
‘ never expect confidence nor assistance from any
‘ of our foreign neighbours ; and consequently,
‘ we could never expect a seasonable opportunity
‘ for doing ourselves justice, against those that had
‘ invaded our rights or privileges.

‘ Whatever may be the present conjuncture of
‘ affairs in *Europe*, however unfortunate it may
‘ be with respect to this nation, I must think,
‘ Sir, we can neither in prudence nor honour con-
‘ tinue to sit tamely under such insults and inju-
‘ ries as we have lately suffered, nor can we now
‘ trust to general acknowledgments, declarations,
‘ or promises. As we have already been con-
‘ vinced by experience, that no general resolution
‘ of this house can be effectual, for procuring sa-
‘ tisfaction or security to our merchants ; so we
‘ have by experience been convinced, that no ge-
‘ neral acknowledgment or promise, in any treaty
‘ between us and *Spain*, can be effectual for such
‘ a purpose. There is not a right or privilege
‘ now contested between us and *Spain*, but what
‘ has been acknowledged by general words or
‘ clauses, in almost every treaty that has been
‘ concluded between the two nations ; and by the
‘ treaty

‘ treaty of *Seville* we were promised satisfaction,
‘ in general terms, for all the injuries they had
‘ done us before that time. How then can we
‘ expect, that general acknowledgments or pro-
‘ mises, in any future treaty, can prove of any
‘ effect? And can we in honour or prudence ac-
‘ cept of that, from which we can expect neither
‘ satisfaction nor security?

‘ The present circumstances of *Europe* may,
‘ for what I know, be unfavourable: We may,
‘ perhaps, be reduced to the necessity of engaging
‘ in an unequal war; but the fortune of war, Sir,
‘ does not always attend that side which appears
‘ to be the most powerful; and I hope we have
‘ not yet negotiated the affairs of *Europe* into
‘ such a system, as may have produced a formida-
‘ ble alliance against us, without any one ally to
‘ assist us; therefore, if we should now be obli-
‘ ged to enter into a war, for the preservation of
‘ our trade and plantations, the event may disap-
‘ point our fears, or do more than answer our ex-
‘ pectations: Whereas, if we wait for a more fa-
‘ vourable opportunity, till our trade and planta-
‘ tions be quite undone, I’m afraid, we must wait
‘ for that which never will happen. While we
‘ remain in our present unsettled condition, while
‘ we continue subject to such insults and depreda-
‘ tions, our trade must daily decay; and the more
‘ our trade decays, the less will our power be to
‘ assist ourselves, the less ready will any of our
‘ neighbours be to assist us. It may then be out
‘ of the power of the best and wisest ministers we
‘ can have, to break or prevent any alliance, that
‘ may be formed or forming against us, or to de-
‘ feat the design of it, by a counter alliance;
‘ but at present, if any powerful alliance be form-
‘ ed against us, and we cannot form a sufficient
‘ counter alliance, it must be owing to some late
‘ weakness or mistake in our conduct; and I hope
‘ we

‘ we have been guilty of no late mistake, but
‘ what may be rectified by the wisdom and power
‘ of Parliament, if a resolution should be taken
‘ to enquire seriously and freely into the affair, in
‘ order to take proper measures for rectifying our
‘ mistakes, and for punishing those that had been
‘ the cause of them.

‘ The honourable gentleman wishes it were in
‘ our power to give laws to every potentate in
‘ *Europe*, and to prescribe to them how they
‘ should behave to one another. I wish so, Sir,
‘ as well as he; but if it were, it would be ridi-
‘ culous in us to make use of our power, in cases
‘ where our own interest could be no way con-
‘ cerned; and in cases where our own interest is
‘ concerned, especially where common justice is
‘ denied us, we ought to make as much use of
‘ our power as we can, however inconsiderable it
‘ may be. There is a very great difference be-
‘ twixt prescribing to others, and allowing others
‘ to prescribe to us. I am afraid, Sir, we have
‘ of late begun to allow a certain neighbouring
‘ power to prescribe to us, particularly with regard
‘ to *Spain*: I am afraid it is to these prescriptions
‘ we must impute the peaceful behaviour of the
‘ many expensive squadrons, we have lately fitted
‘ out; and I am convinced, if we continue long
‘ in the same peaceable disposition, the same pow-
‘ er will become able to prescribe to others, as
‘ well as to us.

‘ I shall confess, Sir, I am sorry I must confess,
‘ that this nation is not at present in a very good
‘ condition for entering into an expensive war.
‘ Our publick debts remain yet unsatisfied; our
‘ taxes are, most of them, as high as in time of
‘ war, and more numerous than they ever were
‘ during the most heavy war; and what is worst
‘ of all, a great part of them are mortgaged for
‘ paying the yearly interest of our publick debts;
‘ yet

‘ yet nevertheless, when self-preservation comes
‘ to be at stake, we may find a fund sufficient for
‘ supporting a new war; for I should, and I hope
‘ most of my countrymen would, I am sure every
‘ *British* subject ought to chuse to live upon bread
‘ and onions, rather than see the house of *Bourbon*
‘ giving laws to *Europe*. This is a misfortune,
‘ which every nation in *Europe* is equally obliged to
‘ guard against, and therefore in guarding against
‘ it, we can never be destitute of a powerful as-
‘ sistance, if this house do but its duty, which is,
‘ to take care, that our publick councils may al-
‘ ways be directed by men of known abilities and
‘ unsuspected integrity.

‘ From what I have said, Sir, I hope gentle-
‘ men will see, that it would be both imprudent
‘ and pusillanimous in us, to allow the fear of a
‘ war to over-awe us, with respect to the resolu-
‘ tions we are to come to upon the present occa-
‘ sion; and I hope it will appear, that no mi-
‘ nister ought to advise his Majesty to agree to
‘ any future treaty, that contains nothing but
‘ such general acknowledgments and promises, as
‘ have already been found ineffectual; therefore,
‘ to tell us that we ought not to come to such re-
‘ solutions, as may prevent any minister’s advising
‘ his Majesty to agree to such a treaty, must be
‘ the same as to tell us, that we ought not to
‘ come to such resolutions, as may prevent a mi-
‘ nister’s doing what he ought not to do, which
‘ cannot surely be an argument of any weight in
‘ the present or any other debate.

‘ Whatever other gentlemen may think of po-
‘ pularity, whatever regard they may have for
‘ the opinion of the people, I must confess, Sir,
‘ that I should be not only afraid, but ashamed
‘ of being an object of publick hatred or con-
‘ tempt; and I should be extremely doubtful
‘ about my own opinion, if I found it contrary to
‘ the

‘ the opinion of most of my countrymen. Upon
‘ any sudden emergency, the people may form
‘ a wrong opinion, or they may upon some oc-
‘ casions be misled by artful and designing lead-
‘ ers; but when the people have time to confi-
‘ der, and when they enquire into any affair
‘ without prejudice, the opinion that prevails
‘ among the generality of them, has in most
‘ cases been found to be right. As to its being
‘ a seasonable opportunity for entering into a
‘ war, the people may not be sufficiently able to
‘ judge; but as to the causes of a war, the
‘ people are always able to judge, whether
‘ they are just and reasonable or not; and for
‘ this reason most nations, when they declare
‘ war, endeavour to justify their conduct by
‘ publick manifestos. As it is the general
‘ opinion in this nation, that we have now suf-
‘ ficient reasons for declaring war against *Spain*,
‘ as most men think that we ought long since
‘ to have revenged, in a hostile manner, the af-
‘ fronts that have been put upon us, those a-
‘ mongst us who affirm the contrary, may, for
‘ what I know, have some prudence, but I am
‘ sure they are not overburdened with modesty.

‘ With respect to the event of a war, the case,
‘ Sir, is, indeed, very different; for neither the
‘ people nor the most clear-sighted ministers can
‘ pretend to form any certain opinion about it;
‘ and as the people of all countries have general-
‘ ly too good an opinion of their own courage
‘ and strength, as this is an opinion which all
‘ wise governments endeavour to promote, there-
‘ fore the people have for the most part greater
‘ expectations from the event of a war, than they
‘ can reasonably hope for; so that the event of
‘ almost every war must be such as will not fully
‘ answer the people’s expectation; yet when a
‘ war becomes necessary, when the effects of con-
‘ tinuing

‘ tinuing in peace must be as fatal as the most
‘ unfortunate event of a war, can any man be so
‘ sollicitous about his own safety, and so regardless
‘ of that of his country, as to advise continuing
‘ such a destructive peace, only for fear the peo-
‘ ple should blame him, and enquire into his
‘ conduct, in case the war he had advised, should
‘ happen to prove unsuccessful?

‘ Sir, our late peaceable conduct, our tame
‘ submission to so many insults and injuries, de-
‘ serves to be enquired into, and may, for what
‘ I know, deserve the censure of Parliament; I
‘ am sure it has already met with the censure of
‘ the people; but neither the honourable gentle-
‘ man that spoke last, nor any other, I believe,
‘ can have the least reason to apprehend an en-
‘ quiry or censure, for advising us to try the fate
‘ of war, in case we should find that we cannot
‘ by peaceable means obtain full reparation for
‘ all past injuries, and effectual security against
‘ any such in time to come; and as experience
‘ has taught us, that we can expect no reparation
‘ or security from general acknowledgments, or
‘ bare promises, we ought, by our resolutions
‘ upon this occasion, to prevent, if possible, its
‘ being in the power of our ministers, to allow
‘ themselves to be amused with such acknowledg-
‘ ments or promises, in any future treaty. This,
‘ Sir, is the more necessary, because from this
‘ very debate, I think, we have reason to suspect,
‘ that some of our ministers are inclined to accept
‘ of any thing, rather than run the risk of a war.
‘ What reasons they may have for being so much
‘ afraid of entering into a war, I am no judge of;
‘ but I hope they are peculiar to themselves, I
‘ hope they are not such as may affect the nation,
‘ or such as ought to induce us to submit to the
‘ most cruel and contemptuous peace, rather than
‘ have recourse to an open and declared war. If
‘ they

‘ they are, I am sure our late negotiations and
‘ conduct is a subject highly worthy of the en-
‘ quiry and consideration of Parliament.

‘ In order therefore, Sir, to put it out of the
‘ power of, or at least to make it unsafe for, any
‘ of our ministers to advise his Majesty to ratify
‘ such a future treaty, as can neither procure re-
‘ paration for what is passed, nor security in time
‘ to come, we ought to agree to the resolutions
‘ first proposed; and if they could be made more
‘ particular and explicit, I should be for any a-
‘ mendment that would make them so; but as
‘ they now stand, the agreeing to them is, I
‘ think, the least we can do upon the present oc-
‘ casion. From our agreeing to such resolutions,
‘ our fellow subjects will be convinced that we
‘ are serious, and they will from thence begin to
‘ conceive hopes, that their rights and privileges
‘ will soon be vindicated and asserted, either by
‘ a vigorous war, or by an honourable treaty:
‘ Even the *Spaniards* will be convinced, that they
‘ can no longer pretend to amuse us with tedious
‘ negotiations, or general promises: Whereas,
‘ if we curtail these resolutions in the manner the
‘ honourable gentleman has, by his amendment,
‘ proposed; our fellow subjects will despair of
‘ ever meeting with redress or security; and the
‘ *Spaniards* will conceive hopes, they may conti-
‘ nue to negotiate and treat with our ministers,
‘ and at the same time plunder our merchants,
‘ for ten years to come, as they have done for
‘ ten years past.

‘ I shall conclude, Sir, with observing, that
‘ the resolution, as it will stand by means of the
‘ honourable gentleman’s amendment, or rather
‘ the new resolution he has proposed, will, upon
‘ examination, appear to be in the same terms
‘ with the answer, which our ministers have sent
‘ to the last *Spanish* memorial; from whence it

‘ will of course be supposed, that the resolution
 ‘ of this house was dictated by the same person
 ‘ that drew up that answer; and I cannot think
 ‘ it consistent with the honour and dignity of this
 ‘ house, to give people without doors any shadow
 ‘ of reason for suspecting, that the resolutions of
 ‘ this house are dictated by our ministers of state;
 ‘ for in all our resolutions, but especially upon
 ‘ the present occasion, we ought to speak our own
 ‘ sense, the sense of those we represent, the sense
 ‘ of the nation, and not the sense of ministers.’

Henry Pelham, Esq; spoke next in substance as follows, *viz.*

*Mr. Pelham's
 speech.*

‘ Mr. Speaker,
 ‘ Sir, Gentlemen may give what turn they please
 ‘ to the question now before us; but, in my opi-
 ‘ nion, there is nothing more plain than that the
 ‘ question truly is, whether we shall come to one
 ‘ general resolution; or, if we shall come to a par-
 ‘ ticular resolution upon every particular right or
 ‘ privilege now in dispute between us and *Spain*?
 ‘ The question cannot be, whether we shall come
 ‘ to such resolutions, as may be effectual for pro-
 ‘ curing reparation and security to our merchants,
 ‘ or whether we shall come to such a resolution
 ‘ as we know can have no effect? Because it is
 ‘ certain, no resolution of this house can be effec-
 ‘ tual for such a purpose. If any reparation or
 ‘ security is to be procured in a peaceable way, it
 ‘ is to be procured by negotiation only; and no
 ‘ negotiation can be carried on but by those em-
 ‘ ployed by his Majesty: If it is not to be pro-
 ‘ cured in a peaceable way, it must be fought for
 ‘ in a hostile manner, which is not to be govern-
 ‘ ed or directed by the resolutions of this house,
 ‘ but by his Majesty only; therefore it is not the
 ‘ resolutions of this house, that can be supposed
 ‘ effectual

‘ effectual for procuring our merchants either re-
‘ paration or security, but the measures which his
‘ Majesty shall please to take for that purpose.

‘ Thus, Sir, it appears, that there are but two
‘ methods of obtaining satisfaction from *Spain*,
‘ one by way of negotiation, and the other by
‘ force of arms; and of these two, I hope it will
‘ be granted, the first ought to be preferred.
‘ Now it has been said, and, I think, justly said,
‘ that if we should agree to the resolutions first
‘ proposed, we shall put it out of his Majesty’s
‘ power to obtain satisfaction for our merchants
‘ and seamen, or security for our trade and plan-
‘ tations, in a peaceable way; whereas, if we a-
‘ gree to the amendment proposed, we shall leave
‘ it in his Majesty’s power to obtain what the
‘ petitioners pray for, by means of a negotiation,
‘ without laying him under any obligation, or
‘ even a temptation, to accept of any thing less
‘ than what is contained in the particular resolu-
‘ tions proposed, in case it should appear to him
‘ that nothing less will be effectual, and that he
‘ has got a proper opportunity for insisting upon
‘ the utmost the nation can demand. From
‘ whence, I must conclude, that the proper ques-
‘ tion now before us is, whether we shall by our
‘ resolutions make an immediate war unavoida-
‘ ble, let the present conjuncture be what it will;
‘ or, if we shall leave it in his Majesty’s power to
‘ endeavour to obtain redress by way of negotia-
‘ tion; and I hope there is no gentleman within
‘ these walls, so fond of fighting, as to be for in-
‘ volving the nation in a dangerous and expensive
‘ war, even though every thing we could ask,
‘ should be previously offered in a peaceable way;
‘ I am sure no man would in such a case be for
‘ war, but such as are of desperate fortunes, or
‘ guided by a false ambition; and their motives
‘ for war cannot be said to proceed from a love

‘ of their country, but from a selfish desire of being able to raise their own glory, or their own fortunes, at the peril and expence of their country.

‘ Whatever the honourable gentleman who spoke last, may be pleased to say upon the present occasion, with respect to the power of the crown, or the power of this house, I hope, Sir, that neither he, nor any other gentleman who has the honour of sitting here, wishes, we had any more power as members of this house, than what is vested in us by our happy constitution. There may be some without doors, who long to see the whole power or government of the nation lodged in this house; but such gentlemen do not, surely, understand our constitution, nor do they know wherein its happiness consists; and if they would but reflect upon the confusion and tyranny that ensued, within the last century, from this house’s having assumed more power than it ought to have, I am sure they would not desire to see the least step made towards a re-assumption of the same power.

‘ But suppose, Sir, we had as much power as our predecessors in this house assumed to themselves, a little before the middle of last century, we would not surely, for the sake of raising the spirits of some desponding persons amongst us, put the nation to the expence of fitting out squadrons, or sending out armies, till we had once found that nothing else would prevail. The gloominess of some people’s natural dispositions may make them subject to despair; but I am certain no man has from what is passed, the least cause to doubt of his Majesty’s wisdom and conduct, or of his inclinations to procure reparation to his injured subjects, and security to the trade of his kingdoms; therefore, I believe, there are very few in the nation
‘ that

‘ that question in the least, but that his Majesty
‘ will soon procure full satisfaction by way of ne-
‘ gotiation, or will take proper measures for ob-
‘ taining it by force of arms; so that we have no
‘ occasion for coming to any resolutions, and
‘ much less for putting the nation to any expence,
‘ in order to revive the hopes of those that are
‘ drooping, or to prevent any man’s despairing
‘ of ever meeting with redress; and with respect
‘ to foreigners, it is certain, nothing can in a
‘ more forcible manner influence their councils,
‘ than their perceiving that the Parliament puts
‘ an entire confidence in his Majesty’s conduct,
‘ which they will necessarily presume from our
‘ coming to a general resolution only, upon the
‘ present occasion, whereas if we should enter into
‘ a discussion of our several rights and privileges,
‘ and come to a particular resolution upon each,
‘ it will be of course supposed at all foreign
‘ courts, especially at that of *Spain*, that we doubt
‘ either of the abilities or inclinations of those,
‘ that are employed by his Majesty in the admi-
‘ nistration of our publick affairs.

‘ I shall with pleasure grant, Sir, that our be-
‘ ing situated in an island, and in a manner de-
‘ tached from the rest of the world, furnisheth us
‘ with many considerable advantages, and among
‘ the rest, with that of having it often in our
‘ power, to make an advantage of the disputes
‘ and jealousies that happen to arise among our
‘ neighbours upon the continent. This may of-
‘ ten furnish us with a proper opportunity for
‘ vindicating or asserting our rights and privile-
‘ ges; but it cannot at all times, and just when
‘ we stand in need of it. The affairs of *Europe*
‘ may take such an unlucky turn, as to unite two
‘ potent neighbours against us, at a time when
‘ the rest are at variance amongst themselves, or
‘ so much engaged or intangled, that they can-

‘ not give us any assistance; and therefore we
 ‘ may sometimes be in danger of being involved
 ‘ in a war at an unseasonable juncture. Whether
 ‘ the present be such a one, I shall not take upon
 ‘ me to say; but if it is, I am sure the wisest
 ‘ thing we can do is, to continue our negotiations,
 ‘ or even to accept of a treaty of peace, though
 ‘ it should contain nothing but general acknow-
 ‘ ledgments and confirmations, in hopes that a
 ‘ short time may produce such an alteration of
 ‘ affairs in *Europe*, as will afford us an opportuni-
 ‘ ty for insisting upon such new explanations and
 ‘ particular concessions, as we may then think
 ‘ reasonable; and as his Majesty only can judge
 ‘ of the seasonableness or unseasonableness of the
 ‘ present conjuncture, therefore, it would be
 ‘ wrong in us to do any thing that might bring
 ‘ an immediate war upon the nation, without
 ‘ knowing whether the present conjuncture be
 ‘ seasonable or not; which is a knowledge we can
 ‘ acquire no way, but by a declaration from his
 ‘ Majesty; and surely no gentleman that has a
 ‘ regard for his country, would desire his Majesty
 ‘ to declare, before such a publick and numerous
 ‘ assembly, that we cannot at present propose to
 ‘ enter into a war with any prospect of advan-
 ‘ tage; because, not only the *Spaniards*, but all
 ‘ those with whom we have now any dispute,
 ‘ would certainly take advantage of such a decla-
 ‘ ration: They would from thence presume, they
 ‘ might force us to agree to any terms of peace
 ‘ they pleased to prescribe, or at least they would
 ‘ become much less tractable than they were be-
 ‘ fore they heard of such a declaration.

‘ I shall confess, Sir, that some branches of
 ‘ our trade, and likewise some of our plantati-
 ‘ ons, have suffered a little by the late behaviour
 ‘ of *Spain* towards us; but their sufferings are
 ‘ not, I believe, near so considerable as some peo-
 ‘ ple

‘ ple seem fond of representing ; and had these
‘ sufferings been much more considerable, we
‘ ought not to expose the whole to the fate of
‘ war at an unseasonable juncture, for the sake
‘ of preserving a part ; especially when we con-
‘ sider, that we can hardly fail of getting an op-
‘ portunity in a short time, for endeavouring to
‘ recover our losses, with a probable view of suc-
‘ cess. If the *Spaniards* were always to behave
‘ towards us as they have done of late years, and
‘ we were always to allow them to behave in the
‘ same manner, the whole of our trade and plan-
‘ tations might at last come to be in some dan-
‘ ger ; but can it be supposed, Sir, that, unless
‘ we immediately declare war, the *Spaniards* will
‘ always continue to treat us as they have lately
‘ done ? The court of *Spain* may become sensi-
‘ ble of the injustice they have done us ; and
‘ when they do, we have, from the justice of his
‘ Catholick Majesty’s natural disposition, all the
‘ reason in the world to expect full reparation ;
‘ or they may become sensible of their own in-
‘ terest ; and as soon as they do, they will cer-
‘ tainly court our friendship, instead of provo-
‘ king our resentment.

‘ But, suppose, Sir, the *Spaniards* should go
‘ on in the same way for some time longer, can
‘ it be supposed that we shall always bear such
‘ treatment, with the same patience and good
‘ nature ? Suppose we have as yet some hopes
‘ of obtaining satisfaction by peaceable means, or
‘ suppose the present an unseasonable juncture, for
‘ us to declare war against *Spain* ; are we from
‘ thence to presume, that we shall always enter-
‘ tain the same hopes, or that the affairs of *Eu-*
‘ *rope* will always continue upon the present foot-
‘ ing ? No, Sir, ’tis impossible we can entertain
‘ such hopes above half a year or a year longer ;
‘ and from the disputes and jealousies which the

‘ honourable gentleman says must necessarily hap-
‘ pen, or continually subsist, among the powers
‘ upon the continent, we must presume, that an
‘ alteration will soon happen in the affairs of *Eu-*
‘ *rope*. From that alteration we may probably
‘ get a proper opportunity, for making the court
‘ of *Spain* heartily repent of their behaviour to-
‘ wards us. It will then be a proper season for
‘ us to declare war; and if full satisfaction is
‘ not made us before that time, we may be af-
‘ fured his Majesty will take hold of it, and
‘ make the proper use of it, for glutting the re-
‘ venge, as well as repairing the honour of the
‘ nation. As this season cannot, from the natu-
‘ ral course of things, be supposed to be very
‘ remote, neither our trade, nor our plantations,
‘ can suffer much in the mean time; and there-
‘ fore we may wait yet a while, in hopes of ob-
‘ taining satisfaction by peaceable means, or in
‘ hopes that a more favourable opportunity will
‘ soon offer for obtaining it by force of arms, with-
‘ out the least ground for supposing, that our trade
‘ and plantations will thereby be utterly undone.

‘ I shall always be as ready, Sir, as any man,
‘ to sacrifice my all, for preserving the honour
‘ and independency of my country; but if the
‘ nation be in such a melancholy condition as the
‘ honourable gentleman has been pleased to repre-
‘ sent, surely we ought at least to be cautious of
‘ doing any thing that may tend to involve the
‘ nation in war. We ought to avoid doing any
‘ thing, that may seem to have such a tendency,
‘ unless it appear absolutely necessary for our im-
‘ mediate preservation; and, I believe, no gen-
‘ tleman will say, that our immediate preservation
‘ depends upon our having those rights and pri-
‘ vileges, now contested by *Spain*, severally and
‘ particularly asserted by the resolutions of this
‘ house; because his Majesty, in his negotiations
‘ with

‘ with *Spain*, may insist, and peremptorily insist,
‘ upon their being acknowledged and declared in
‘ such a manner, tho’ we should now come to no
‘ one resolution, either general or particular, upon
‘ the subject ; and his Majesty will certainly do
‘ so, if it should appear necessary for our imme-
‘ diate preservation : But I am far from thinking,
‘ that it will be necessary for his Majesty to insist
‘ upon such particular acknowledgments, declara-
‘ tions, or promises ; for the behaviour of two
‘ independent nations to one another, does not so
‘ much depend upon the general or particular sti-
‘ pulations that are between them, as upon the
‘ necessity they respectively think they have, for
‘ cultivating a reciprocal friendship. If the *Spa-*
‘ *niards* begin to think, that they ought, for
‘ their own sakes, to cultivate a friendship with
‘ this nation, (and, as soon as they begin to
‘ think justly, they will think so) they will then
‘ perform any general promises they may make,
‘ or any general engagements they may enter into
‘ with us, more strictly and faithfully, than they
‘ would perform the most express and particular
‘ stipulations, if they should think otherwise.

‘ We have at present, Sir, and must always
‘ have, disputes with other nations as well as
‘ *Spain* ; and without doubt, it would be ex-
‘ tremely convenient for us to have all the rights
‘ and privileges, which any nation pretends to
‘ dispute with us, fully explained, and particu-
‘ larly declared and established : But, I believe,
‘ we never made a treaty, where we could ob-
‘ tain all that was convenient for us : I be-
‘ lieve, no nation ever did ; for a *Carte Blanche*
‘ is not properly a treaty ; it is the law which
‘ the conqueror prescribes to those he has con-
‘ quered. In every case where a treaty is to be
‘ made, both the contracting parties must accom-
‘ modate themselves to times and circumstances ;
‘ and

‘ and neither party can, or will, insist upon all
 ‘ they can ask, lest by so doing they lose what
 ‘ they may have. This must be our case, if we
 ‘ ever come to any future treaty with *Spain*. We
 ‘ must accommodate ourselves to times and cir-
 ‘ cumstances, and must insist upon no more than
 ‘ they will then admit of; but if this house
 ‘ should agree to the resolutions first proposed,
 ‘ it will put it out of the power of any minister,
 ‘ to advise his Majesty to accommodate himself
 ‘ to times and circumstances, in relation to any
 ‘ future treaty with *Spain*; which will of course
 ‘ make a war unavoidable; for it is not to be sup-
 ‘ posed we can prevail with *Spain* to agree to
 ‘ every thing we propose, unless we force them
 ‘ to it by a successful war. Nay, after we have
 ‘ entered into a war, it is great odds if we meet
 ‘ with such success, as may intitle his Majesty to
 ‘ insist upon every thing, that may be supposed
 ‘ to be contained in these resolutions; so that it
 ‘ would be impossible for his Majesty, or any of
 ‘ his successors, to put an end to the war by a
 ‘ treaty of peace, or to agree to any preliminaries
 ‘ for that purpose, without first laying those pre-
 ‘ liminaries before this house; and such a publi-
 ‘ cation might put it in the power of those that
 ‘ are enemies to both nations, to prevent the ne-
 ‘ gotiation’s taking effect.

‘ I hope, Sir, I have now made it appear, that
 ‘ there is no necessity for our coming to such
 ‘ particular resolutions as were at first proposed;
 ‘ and that our coming to such, might be attend-
 ‘ ed with the most fatal consequences, because
 ‘ it might not only involve the nation in
 ‘ a war, but involve it in a war, perhaps,
 ‘ at a very unseasonable and unlucky juncture.
 ‘ I know I am arguing against that, which seems
 ‘ to be the popular side of the question: I know
 ‘ that by some means or other, a very great
 ‘ resent-

‘ resentment has been stirred up among the peo-
‘ ple, against the depredations committed by the
‘ *Spaniards*, and, I confess, they deserve our
‘ highest resentment; but we ought to shew our
‘ resentment by blows, not by words; and if we
‘ chuse an improper time for giving the blow,
‘ we may receive a greater than we can give. I
‘ shall always have a great regard for the esteem,
‘ and likewise for the opinion of the people; but,
‘ I shall never do what I think contrary to the in-
‘ terest of my country, for the sake of gaining
‘ an immediate esteem; because, I know, it can
‘ never be lasting; and I should follow any po-
‘ pular opinion, rather than that relating to what
‘ provocations may be sufficient for declaring war.
‘ In every such question, the people may be com-
‘ pared to a number of generals assembled in a
‘ council of war, and deliberating, whether or
‘ no they ought to attack the enemy. Many of
‘ them may, and often do, give their opinion
‘ for attacking, not because they think it the most
‘ prudent, but lest their courage should be sus-
‘ pected, in case they should give their vote for
‘ the other side of the question.

‘ Tho’ his Majesty’s servants may be against
‘ this house’s attempting, by any of their reso-
‘ lutions, to tie up his Majesty’s hands, so as to
‘ make an immediate war unavoidable, let the
‘ present conjuncture be never so unfavourable, it
‘ is not from thence to be inferred, Sir, nor, do
‘ I believe, that they are inclined to accept of any
‘ thing rather than run the risk of a war; nor
‘ do I believe, they have any reasons against a
‘ war, that are peculiar to themselves. What-
‘ ever reasons his Majesty may have, for not re-
‘ solving upon an immediate declaration of war,
‘ whether they proceed from the hopes he may
‘ yet have of obtaining redress in a peaceable
‘ manner, or from his being sensible that the
‘ state

‘ state of affairs in *Europe* will, in a short time,
‘ afford us a much more favourable opportunity
‘ for declaring war, they must be such as affect
‘ the nation in general; and, they may be such,
‘ as ought to induce us to try, for a while longer,
‘ the method of negotiation, or even to protract
‘ and continue our negotiations, after we are con-
‘ vinced that that method will at last prove in-
‘ effectual, without being such as ought to in-
‘ duce us to accept of a cruel and contemptuous
‘ peace, rather than have recourse to an open
‘ and declared war. The space of half a year
‘ only, may so change the face of affairs all over
‘ *Europe*, as to enable us to enter then into a war
‘ with great seeming advantage, and yet the pre-
‘ sent conjuncture may be such a one, that we
‘ cannot immediately enter into a war without
‘ apparent ruin. Suppose, then, this to be the
‘ case at present, would it not be highly impru-
‘ dent in us to do that, which must immediately
‘ involve the nation in a war? Would it be rea-
‘ sonable in us, to desire his Majesty to commu-
‘ nicate to such a numerous assembly, the pre-
‘ sent state of affairs in *Europe*, or the alterati-
‘ ons which he expected might in half a year’s
‘ time be brought about? Such a request, his
‘ Majesty could not surely comply with; be-
‘ cause, such a communication would certainly
‘ render our present condition worse, and might
‘ probably prevent those alterations, from whence
‘ only we could expect to make it better.

‘ From the reasons I have given, Sir, and, I
‘ hope, they will appear sufficient reasons, for
‘ our not agreeing to the resolutions first propo-
‘ sed, I think it is evident, that the only resolu-
‘ tion we can come to upon the present occasion,
‘ must be such a one as my honourable friend
‘ has by his amendment proposed. By such a
‘ resolution, we shall leave it entirely to his Ma-
‘ jesty,

‘ jesty, to insist upon particular acknowledgments
‘ of all our rights and privileges, now contested
‘ by *Spain*, or to accept of general acknowledg-
‘ ments, in case the present should appear to be
‘ an unreasonable conjuncture for our declaring war
‘ against that kingdom. By this, we may avoid
‘ a war, at least we shall avoid being engaged
‘ in an unequal war; for, if we trust to his Ma-
‘ jesty’s wisdom, we may depend on it he will
‘ not involve the nation in war, unless he sees
‘ that he has got a proper opportunity for so do-
‘ ing. At the same time, we shall, I think, by
‘ such a resolution, sufficiently assert the princi-
‘ pal right, now in dispute between *Spain* and
‘ us, and we shall sufficiently shew our resent-
‘ ment against the usage our merchants and sea-
‘ men have met with. This will convince the
‘ court of *Spain*, that his Majesty will meet with
‘ the approbation and assistance of his Parliament,
‘ in whatever measures he may take for obtain-
‘ ing redress, which may probably make them
‘ alter their conduct towards us; and, from such
‘ a resolution, all those who understand any
‘ thing of our constitution, will see, that we have,
‘ in this house, done as much as was possible
‘ for us to do, upon such an occasion; from
‘ whence, every man, who has not something ve-
‘ ry dismal in his constitution, will conclude,
‘ that he has no reason to despair of seeing jus-
‘ tice done to himself and fellow subjects, and
‘ the rights and privileges of his country esta-
‘ blished.

‘ Before I have done, Sir, I must take notice
‘ of the objection made by the honourable gentle-
‘ man that spoke last. He says, the resolution,
‘ as it will stand by means of my honourable
‘ friend’s amendment, will appear to be in the
‘ same terms with his Majesty’s answer to the
‘ last *Spanish* memorial; and, that therefore, we
‘ ought

‘ ought not to agree to it, lest it should be
‘ thought that the resolution of this house was
‘ dictated by our ministers of state. I cannot
‘ say, Sir, that I have compared the two toge-
‘ ther, so as to judge whether they be in the
‘ same terms or not. But, suppose they are, is
‘ there any scandal in our agreeing with the
‘ crown, or even with our ministers of state,
‘ when that which they have done appears to be
‘ right? Sir, in my opinion, this is so far from
‘ being an objection to the resolution my honour-
‘ able friend has proposed, that it is a strong ar-
‘ gument for our agreeing to it; for, surely, it
‘ must administer comfort and encouragement to
‘ our own people, to see his Majesty and his Par-
‘ liament agreeing upon the same measures for
‘ their relief; and, as it will convince the court
‘ of *Spain*, that there is a good agreement, and
‘ thorough understanding, between his Majesty
‘ and his Parliament, it will be an argument of
‘ the greatest weight with that court, for prevail-
‘ ing on them to agree to what his Majesty has
‘ proposed, or may propose, towards an accom-
‘ modation; therefore, if we have a mind, that
‘ our present differences with *Spain* should be set-
‘ tled in an amicable way, if we have a mind to
‘ incline them to hearken to reason, or the voice
‘ of peace, we ought to agree to the amend-
‘ ment proposed: Nay, unless we have a mind
‘ to encourage or encrease their obstinacy, by
‘ making them believe there is a disunion and
‘ distrust between his Majesty and his Parlia-
‘ ment, we must agree to the amendment pro-
‘ posed.’

The next that spoke was Sir *William Wyndham*, whose speech was to this effect, viz.

‘ Mr. Speaker,

‘ Sir, I am extremely surprized to hear the
‘ present debate so much mistaken, as I find it
‘ is, by the honourable gentleman that spoke
‘ last. Is there any gentleman in this house has
‘ supposed, is there any gentleman can suppose,
‘ that the resolutions of this house can be effec-
‘ tual in the case now before us, without the
‘ concurrence of the crown? In all such cases,
‘ Sir, our resolutions are offered by way of in-
‘ formation and advice to the crown; and for
‘ this reason, they are always laid before his Ma-
‘ jesty, together with the address which we pre-
‘ sent upon the same subject. We may, by our
‘ resolutions, determine what are the rights of
‘ the nation, we may determine what are the in-
‘ juries we have suffered; we may go farther,
‘ we may determine, or rather declare what me-
‘ thods we think ought to be taken for asserting
‘ those rights, for revenging those injuries; but
‘ it is the crown only, that is to carry our reso-
‘ lutions into execution; and unless they are car-
‘ ried into execution by the crown, or by those
‘ employed by the crown, they cannot of them-
‘ selves be supposed to be effectual.

Sir William Wyndham's speech.

‘ In the present case, Sir, complaint has been
‘ made to us, that our trade has been interrupt-
‘ ed; that many of our merchant-ships have
‘ been plundered, and many seized and confisca-
‘ ted; that many of our seamen have been cru-
‘ elly used; and that some of our most valuable
‘ and most undoubted rights and privileges have
‘ been invaded: The petitioners pray, that we
‘ would procure them relief, and that we would
‘ provide a remedy for these evils. What can
‘ they

‘ they mean by such a prayer? Surely they do
‘ not mean, that this house should declare war,
‘ or that this house should send ambassadors to
‘ *Spain* to demand satisfaction. Either they must
‘ mean, that if these grievances have been occa-
‘ sioned by the fault or neglect of any of our
‘ own subjects, we should enquire into it, and
‘ punish those that have been to blame; or they
‘ must mean, that we should enquire what inju-
‘ ries they have suffered, and what national
‘ rights or privileges have been invaded, that
‘ we should represent to the crown those injuries
‘ and invasions, and that we should give such
‘ advice to his Majesty as, if followed, will be
‘ effectual for procuring the relief and remedy
‘ they pray for. We are to suppose, that his
‘ Majesty will believe what we represent, that
‘ he will follow the advice given him by his
‘ faithful Commons, and that he will make the
‘ resolutions of this house a rule for his future
‘ conduct. Upon this supposition, it may be
‘ said, that one resolution, or one set of resolu-
‘ tions, will be more effectual than another;
‘ and therefore the question now under our con-
‘ sideration is, Which of the two propositions
‘ made to us, contains the fullest and truest re-
‘ presentation of the national rights and privi-
‘ leges that have been invaded, and of the in-
‘ juries which our trade and merchants have suf-
‘ fered; which of them contains that advice,
‘ which, if followed, may be supposed to be
‘ most effectual for procuring that relief and re-
‘ medy for which the petitioners pray?

‘ In this light, Sir, let us compare the two
‘ propositions together, and we shall soon see,
‘ which ought to be preferred. The first con-
‘ tains a particular enumeration of the several
‘ grievances we labour under, mentions the pre-
‘ tences that have been made use of for putting

‘ such grievances upon us, and particularly as-
‘ ferts, as well as sets forth, every right or pri-
‘ vilege that has been invaded. The second
‘ contains only a general representation of the
‘ injuries we have suffered, without mentioning
‘ any one pretence that has been made use of,
‘ or properly asserting, or so much as mention-
‘ ing any one right or privilege that has been
‘ invaded: The first shews it to be our senti-
‘ ments, that the several rights and privileges of
‘ this nation, which have been invaded, ought
‘ to be particularly acknowledged; that the se-
‘ veral pretences made use of for invading them,
‘ ought to be particularly explained and express-
‘ ly given up; and that an immediate and spe-
‘ cifick satisfaction ought to be insisted on: The
‘ second, if agreed to, will make it be look’d
‘ on as the opinion of this house, that a gene-
‘ ral acknowledgment of our rights, and a ge-
‘ neral promise of satisfaction, may be accepted
‘ of.

‘ Upon such a comparison, Sir, can any gen-
‘ tleman, after the late experience we have had,
‘ think that such a general acknowledgment of
‘ our rights will be effectual for securing our
‘ trade in time to come? Can any gentleman
‘ now think, that such a general promise will be
‘ effectual for procuring reparation to our mer-
‘ chants that have been plundered, or to our
‘ seamen that have been abused? Sir, it is im-
‘ possible for any man to think so, that is ac-
‘ quainted with the late behaviour of the *Spa-*
‘ *niards* towards us, and has read the treaty of
‘ *Seville*, or any of the treaties now subsisting
‘ between this nation and *Spain*. His Majesty,
‘ ’tis true, may, I hope he will, insist upon par-
‘ ticular acknowledgments of our several rights
‘ that have been lately contested or invaded;
‘ upon a sufficient specifick sum, by way of re-
‘ paration

‘ paration to his injured subjects; and upon an
‘ exemplary punishment’s being inflicted upon
‘ those *Spanish* governors or commanders, that
‘ have injured them: His Majesty, I say, may
‘ insist upon such terms, notwithstanding any
‘ opinion we may now give, or any resolution
‘ we may now come to; but certainly, it would
‘ be wrong in us to give, as the opinion of this
‘ house, what cannot be the real opinion of any
‘ man in the kingdom. To offer such an opi-
‘ nion by way of advice, would be a misleading
‘ of the crown, or enabling ministers to do so;
‘ therefore, in duty to our Sovereign, in justice
‘ to our much injured country and countrymen,
‘ in honour, in conscience, with respect to our-
‘ selves, we are bound not to give any such
‘ advice.

‘ Peace, Sir, is certainly preferable to war;
‘ and every good man must wish, that his Ma-
‘ jesty may be able to procure satisfaction and
‘ security by way of negotiation: But war is pre-
‘ ferable to an ignominious peace; and every
‘ man who has a regard for the honour of his
‘ country, or the safety of his fellow-subjects,
‘ would chuse to see the nation involved in
‘ war, let the event be what it will, rather than
‘ see it insulted and abused, as it has been by
‘ *Spain* for almost these twenty years. By agree-
‘ ing to the resolutions first proposed, we do not
‘ put it out of his Majesty’s power to obtain sa-
‘ tisfaction in a peaceable way, we only put it
‘ out of the power of, or at least make it hazar-
‘ dous for ministers to advise his Majesty to a-
‘ gree to an ignominious treaty of peace; which
‘ any treaty will be, that does not procure am-
‘ ple satisfaction to our merchants and seamen,
‘ that have, under frivolous pretences, been
‘ plundered and cruelly used; and a sufficient
‘ security against our trade’s being interrupted
‘ under

‘ under such pretences in time to come. For
‘ this purpose, every man must be sensible from
‘ what’s passed, that general acknowledgments
‘ or bare promises will not be effectual: The
‘ rights that have been contested, must be ex-
‘ pressly and particularly acknowledged; and
‘ those pretences that have been set up, for in-
‘ terrupting our trade and plundering our mer-
‘ chants, must be severally and particularly ex-
‘ plained, and expressly removed, in order to
‘ prevent the setting up of any such for the fu-
‘ ture. Nay, I am of opinion, that even the
‘ most particular acknowledgments and explana-
‘ tions will not of themselves prove effectual.
‘ We must insist upon the punishing of those
‘ *Spanish* governors or captains of *Guarda Costa’s*,
‘ that have injured us, and upon some signal
‘ atonement’s being made to the nation, for the
‘ many affronts that have been put upon it; for
‘ I am afraid the *Spaniards* have, from our late
‘ behaviour, conceived such an opinion of our
‘ fondness for peace, that they will shew but lit-
‘ tle regard to the most particular and solemn
‘ engagements they may make with us. Their
‘ attack some years since upon *Gibraltar*, at a
‘ time when our harmless fleets appeared upon
‘ their coasts without any hostile intention, I be-
‘ lieve, against them, or any of their allies; and
‘ their late attack upon our ships at the island
‘ of *Tortugas*, notwithstanding its being a time
‘ of profound peace between the two nations,
‘ and notwithstanding one of the most particular
‘ and most explicit concessions, that could be
‘ made by one nation to another: These two at-
‘ tacks, I say, with the continual attacks they
‘ make upon our ships in the bay of *Campechey*,
‘ give me some reason for suspecting, that they
‘ do not now think themselves under a necessity
‘ of standing upon ceremonies with regard to us,

‘ or of observing the most particular and express
‘ stipulations they can make with us.

‘ I shall not pretend, Sir, to dispute the good
‘ natural disposition of his Catholick Majesty, or
‘ his inclinations to do justice to this nation ; but
‘ I must say, we have as yet felt none of the ef-
‘ fects, either of the one or the other ; and I am
‘ afraid, those who have so good an opinion of
‘ his inclinations, will at last find, they have
‘ trusted to them more than they ought to have
‘ done. However, let his Catholick Majesty’s
‘ natural disposition be never so just, let his incli-
‘ nations towards us be never so favourable, if his
‘ governors and captains in the *West-Indies* are
‘ allowed to imagine, that they may plunder, or
‘ unjustly seize and confiscate *British* ships, with-
‘ out any fear of punishment, if they find they
‘ have nothing to apprehend, but being simply
‘ obliged to restore, they will every now and
‘ then be nibbling ; for restitution is seldom made
‘ compleat, something will always stick to the
‘ fingers of the tellers ; and as such disputes are,
‘ we find, extremely tedious, possession in the
‘ mean time will in every case be worth some-
‘ thing. For this reason we must, in my opini-
‘ on, insist upon condign punishment, as well as
‘ compleat restitution, otherwise our future secu-
‘ rity will always be precarious ; and our insisting
‘ upon such terms, or our obliging our ministers
‘ to insist upon such terms, will not, I hope,
‘ make an immediate war necessary. Unless we
‘ have, by some very odd blunder in politicks,
‘ cook’d up such a system of affairs abroad, as
‘ has united some of the chief powers of *Europe*
‘ with *Spain*, and has at the same time detached
‘ from us, every ally we formerly had, or at least
‘ every ally that can afford us any assistance, I am
‘ sure the *Spaniards* will agree to such terms, ra-
‘ ther than come to an open rupture ; so that our
‘ coming

‘ coming to such resolutions as were first propo-
‘ sed, instead of making war necessary, will make
‘ peace, I mean a real and an honourable peace,
‘ more quickly attainable; because if *Spain* has
‘ nothing but her own strength to depend on,
‘ and if we have such allies as we ought to have,
‘ and always may have, our resolutions will make
‘ *Spain* think it necessary, to agree immediately to
‘ what is just and reasonable, in order to prevent
‘ a rupture; for though the court of *Spain* may
‘ believe, and may perhaps have found, that they
‘ can cajole and amuse a *British* minister, I am
‘ convinced they are not so vain as to think, they
‘ can cajole or amuse a *British* Parliament.

‘ ‘ Altho’ we have not the power, Sir, to send
‘ out fleets or armies, or to give orders or instruc-
‘ tions to fleets or armies, yet as members of this
‘ house, we have, by our constitution, a power
‘ to enquire into the conduct of those, who, by
‘ their employments, are to give his Majesty their
‘ best advice in such cases; and, if upon enquiry
‘ it should appear, that they have not advised his
‘ Majesty to send out proper fleets or armies, or
‘ have not advised him to give them proper in-
‘ structions, for revenging the affronts that have
‘ been put upon the nation, we have a power,
‘ and we are in duty bound, to remove such
‘ counsellors from his Majesty’s councils. But, if
‘ it should appear, that such counsellors advised
‘ pacifick measures, when immediate vengeance
‘ ought to have been taken, if it should appear
‘ that the affronts offered, were of such a high
‘ nature, that it was dishonourable for the nation
‘ to submit to a negotiation, we would, in that
‘ case, have a power, and it would be our duty,
‘ to punish such weak or wicked counsellors. In
‘ publick life as well as private, there are some af-
‘ fronts that cannot, by the custom of nations,
‘ admit of a peaceful accommodation, or of any

‘ negotiation for that purpose. If a gentleman
‘ should be caned in the open streets, and should,
‘ instead of making a proper return, send a cler-
‘ gyman next morning to the aggressor, to beg
‘ that the affair might be made up in an amicable
‘ way, the aggressor might, perhaps, look upon
‘ his patient as a good Christian, but, I am sure
‘ he would not look upon him as a gentleman, or
‘ man of courage; and therefore he would pro-
‘ bably offer no other satisfaction, but such a one
‘ as no man of honour could accept of, or per-
‘ haps, and most probably too, he would bully
‘ and say, the fellow deserved what he had met
‘ with. A man of true honour, upon meeting
‘ with such an affront, would immediately take
‘ vengeance, or would grasp at the very first op-
‘ portunity for so doing; and till he had taken
‘ what he thought a sufficient revenge, he would
‘ accept of no pacifick satisfaction, nor admit of
‘ any treaty for such a purpose.

‘ In publick life, and in national affairs, the
‘ case is the same. There are some affronts that
‘ may be put by one nation upon another, which
‘ ought to be immediately resented in a hostile
‘ manner. All attacks or insults ought to be re-
‘ sented in such a manner, when it appears evident
‘ that it was done by publick authority. When
‘ an insult is committed by the subjects of any
‘ nation, without an apparent commission, or
‘ other authority from their government, the in-
‘ jured nation may send ambassadors to demand
‘ satisfaction; and ought not to resent the injury
‘ in a hostile manner, till the other nation has
‘ made the act its own, or has taken the guilt
‘ upon itself, by denying or unreasonably delaying
‘ to punish or give up the offenders. But when
‘ the insult or attack appears, from the very na-
‘ ture of it, to have been committed by publick
‘ authority, satisfaction ought not to be sued for
‘ by

‘ by ambaffadors, it ought to be immediately ta-
‘ ken by fleets and armies, properly instructed for
‘ that purpose. Of this nature, I am of opinion,
‘ we ought to have reckoned feveral of the in-
‘ fults put upon this nation by *Spain*, within this
‘ laft dozen of years; fome of them, I am fure,
‘ appeared by the very nature of them, to have
‘ been committed by publick authority, and there-
‘ fore ought to have been immediately refented,
‘ either by an open declaration of war, or by an
‘ attack upon their fhips, or upon fome part of
‘ their dominions. Nay, I may fay, that the
‘ court of *Spain* have made every injury that has
‘ been done us by any of their fubjects, the act
‘ and deed of the whole nation; for though they
‘ have acknowledged fome of the injuries done,
‘ and have acknowledged them to be injuries, yet
‘ I do not hear that they have, in any one cafe,
‘ made a compleat reftitution of all cofts and
‘ damages, or that they have punifhed, or given
‘ up any one of the offenders. From hence, Sir,
‘ I muft think, that thofe who ought to advife
‘ his Majefty, have been to blame, in not ad-
‘ vifing him to refent fome of the affronts that
‘ have been put upon us, by immediate hostili-
‘ ties, or an immediate declaration of war; I
‘ muft think they have been to blame, in not ad-
‘ vifing his Majefty, in moft of the other cafes,
‘ to infift more peremptorily upon a fpeedy and
‘ compleat reftitution, and upon a fevere punifh-
‘ ment’s being inflicted upon all thofe *Spanifh* go-
‘ vernors or commanders of *Guarda Cofta*’s, that
‘ had any way injured the fubjects of this king-
‘ dom; and, if I am right in my opinion, we
‘ ought, upon this occafion, to go farther than
‘ any thing yet propofed: We ought to enquire
‘ into the conduct of fome of thofe who are,
‘ by their pofts or employments, obliged to give
‘ his Majefty their beft advice. This, I think,

‘ Sir, is our duty ; and if the resolutions first
‘ proposed be agreed to, I hope, that agreement
‘ will be followed by a proper motion for this
‘ purpose. Such an enquiry, or a serious and sin-
‘ cere resolution for entering upon such an enqui-
‘ ry, would, I believe, tend more to revive the
‘ drooping spirits of our injured fellow subjects,
‘ than any other resolution we can come to.

‘ For this reason, Sir, I hope the resolutions
‘ first proposed will be agreed to : For this reason,
‘ if there were none other, I should be for agree-
‘ ing to them ; for if they are not agreed to, I
‘ am sure no gentleman can expect to succeed, and
‘ therefore no gentleman will make any motion
‘ for such an enquiry. The present unlucky state
‘ of affairs in *Europe*, or the danger this nation
‘ may be in, of being involved in a heavy war,
‘ can be no argument against such an enquiry ;
‘ for it was upon such occasions that the *Roman*
‘ people, while they retained their virtue, got their
‘ guilty magistrates punished, and their own liber-
‘ ties secured. In their histories, we have many
‘ examples of their insisting obstinately upon a
‘ confirmation, or enlargement of their privileges,
‘ or upon an enquiry into the conduct of their
‘ magistrates, when the enemy was almost at the
‘ gates of their city. This obstinacy never did
‘ that brave people any damage ; for as soon as
‘ they got their liberties secured, or their guilty
‘ magistrates punished, their armies went out
‘ with alacrity, and returned with victory. In
‘ this country, I hope, upon the present occasion,
‘ the case would be the same : Give the people
‘ but satisfaction : Put our fleets and our armies
‘ under those, in whose wisdom and conduct they
‘ have a confidence, and I promise for them,
‘ they’ll give a good account of their enemies.
‘ Whereas, if you go to war, while your people
‘ are discontented, and consequently dispirited ;
‘ if

‘ if your fleets and your armies are under the
‘ conduct of those, who, by their past manage-
‘ ment, have forfeited their character, both a-
‘ mong your soldiers and sailors, you can expect
‘ no success, nor any triumphs, either from your
‘ fleets or your armies. Therefore, in case a war
‘ should become unavoidable, I am afraid it will
‘ be necessary for us, to enter into such an enqui-
‘ ry as I have mentioned; in order to give satis-
‘ faction to our people, either by justifying our
‘ late conduct, in case it should appear to have
‘ been prudent and wise; or by removing or pu-
‘ nishing those, that have been the chief advisers
‘ of it, in case it should appear to have been pu-
‘ sillanimous and imprudent.

‘ But, Sir, as I am none of those who have a
‘ very good opinion of our late conduct, as I
‘ think we have suffered a great deal too much,
‘ as I think we have neglected several good op-
‘ portunities for doing ourselves justice, and for
‘ putting the affairs of *Europe* upon almost as
‘ good a footing as we could desire; therefore,
‘ I am of opinion, that the best method we could
‘ take for preventing a war, would be, to resolve
‘ immediately upon enquiring into our late con-
‘ duct; because, if the enemies of this nation
‘ have got any advantages from our conduct in
‘ time of peace, they may reasonably hope for
‘ greater in time of war, and therefore may now
‘ refuse to give us a proper satisfaction or securi-
‘ ty, because they are desirous of coming to a
‘ rupture; whereas, if we this day resolve upon
‘ an enquiry, our enemies will expect a change
‘ in our managers, and from thence a change in
‘ our conduct, which must diminish, if not de-
‘ stroy their hopes of getting any thing by a war,
‘ and may consequently alter their inclinations.

‘ To tell us, Sir, that the court of *Spain* can-
‘ not, in a peaceable manner, be brought to agree

‘ to such particular acknowledgments, and speci-
‘ fick promises, as they have, by their own con-
‘ duct, made necessary for the satisfaction and se-
‘ curity of this nation, is to tell us, that they de-
‘ spise us. If this be the case, we can expect no
‘ real peace, notwithstanding any new treaty we
‘ can make with them: We must expect, that
‘ after the next treaty, they will continue to treat
‘ us as they have done since the last: We can
‘ expect nothing but repeated insults and depre-
‘ dations, till by a vigorous war we convince
‘ them of their error, and compel them to alter
‘ their behaviour. But this, Sir, is not the case;
‘ they may perhaps despise our negotiators; but,
‘ I am persuaded they do not, I think they can-
‘ not, despise the nation. They may hope, that
‘ our fleets and armies will be bound up in time
‘ to come by pacifick instructions, as they have
‘ been upon some former occasions; but they
‘ know too well the alacrity and courage both of
‘ our soldiers and sailors, not to be afraid of their
‘ being sent against them with proper instruc-
‘ tions: The best thing, therefore, we can do
‘ upon the present occasion is, to lay our negoti-
‘ ators under a necessity of treating with them,
‘ upon a footing different from what they have
‘ done; and, our ministers, under a necessity of
‘ furnishing any fleets or armies, they may, here-
‘ after, put the nation to the expence of sending
‘ out, with such instructions, as shall make them
‘ spread terror, instead of laughter, wherever
‘ they come. For this purpose, the resolutions
‘ first proposed, are so far from being too parti-
‘ cular or explicit, that, I think, they ought to
‘ be made more particular and more explicit. If
‘ we should add to each of them in express terms,
‘ that it is the opinion of this house, that war
‘ ought to be declared against *Spain*, unless such
‘ a right or privilege should be particularly ac-
‘ knowledged,

‘ knowned, or unless such a violation of the
‘ law of nations, or such an insult should be at-
‘ ned for, by punishing or giving up the authors,
‘ I do not think we would be in the least to
‘ blame; and, with regard to the damage, that
‘ has been done to our merchants and seamen, if
‘ we should appoint a select committee to take a
‘ particular account of it, and to state the speci-
‘ fick sum they thought it amounted to, and if
‘ we should upon their report come to a resolu-
‘ tion, that such a specifick sum ought to be de-
‘ manded and peremptorily insisted on, for ma-
‘ king good that damage to the sufferers, I am
‘ convinced, very few persons in this nation
‘ would think we had gone a bit too far. We
‘ are fully sensible, that we have in vain trusted
‘ to general acknowledgments, and that we have
‘ in vain sent commissaries: If we trust to such
‘ acknowledgments in any future treaty, if we
‘ send any more such messengers, we shall become
‘ the scoff and ridicule, not only of the *Spaniards*,
‘ but of all *Europe*.

‘ However, Sir, I shall not insist upon making
‘ any such amendments to the resolutions first
‘ proposed; because, I am confident, that as soon
‘ as those resolutions are laid before his Majesty,
‘ he will order and empower some proper persons,
‘ to examine particularly into the several depre-
‘ dations that have been committed upon his sub-
‘ jects, and to state the specifick sum they amount
‘ to. I am likewise confident, that in any future
‘ treaty, his Majesty will insist upon this specifick
‘ sum’s being immediately paid, or such security’s
‘ being given for it, as shall make the payment
‘ of it speedy and certain; that he will insist up-
‘ on an express acknowledgment of every right
‘ that has been lately contested; and, that he will
‘ insist upon an exemplary punishment’s being
‘ inflicted upon all those *Spanish* governors and
‘ commanders

‘ commanders of *Guarda Costa*’s, who have inju-
‘ red his subjects, or insulted his crown. These
‘ things, I say, Sir, I am confident his Majesty
‘ will insist on; at least, the resolutions of his
‘ faithful Commons, in case we agree to those
‘ that were first proposed, will, in some measure,
‘ shew that they ought to be insisted on.

‘ I am surprized, Sir, to hear his Majesty’s
‘ name, or his Majesty’s wisdom and conduct, so
‘ much made use of, or in such a manner made
‘ use of, as they have been, by some gentlemen
‘ in this debate. The name of Majesty is so
‘ sacred, that it ought to be as little made use
‘ of in any of our debates, as possible; and, his
‘ present Majesty’s wisdom and conduct is so
‘ well known, that, if it were possible for him
‘ to see every thing with his own eyes, and to
‘ execute every act of government or power by
‘ himself, without the interposition of ministers
‘ or servants, there would be no occasion for our
‘ entering into any enquiry, or coming to any
‘ resolutions. We are not, Sir, so much as to
‘ doubt of our Sovereign’s wisdom or conduct
‘ in any affair whatsoever; but, the wisdom and
‘ conduct of his ministers or servants, we may
‘ doubt of, we ought to doubt of it: It is what
‘ we ought often to enquire into; and, I must
‘ think, there was never greater occasion for
‘ doubting of it, and enquiring into it, than at
‘ present. For this reason, whatever I have said,
‘ or may say, upon the subject now under our
‘ consideration, will, I hope, be supposed to be
‘ meant only of his Majesty’s ministers. If I find
‘ fault with our past conduct, or say, that I sus-
‘ pect our conduct in time to come, I can mean
‘ nothing but the conduct of our ministers; and
‘ that conduct, I hope, I may freely examine in-
‘ to, and freely censure, without giving any just
‘ offence. I believe there is no man in the king-
‘ dom

‘ dom questions, but that his Majesty would have
‘ long since obtained full satisfaction and security,
‘ either in a peaceable way, or by force of arms,
‘ if he had not been misinformed, and misled by
‘ advice, which now, I think, appears to have
‘ been none of the most prudent; and, if foreign-
‘ ers have begun to presume, which I am afraid
‘ they have, that our ministers are weak and im-
‘ prudent, and upon that presumption have be-
‘ gun to treat this nation in a haughty, unjust,
‘ or contemptible manner, their perceiving that
‘ the Parliament continues to put an entire confi-
‘ dence in the conduct of such ministers, will not,
‘ I am sure, prevail with them to alter their con-
‘ duct, with regard to this nation, in time to come.

‘ I am glad, Sir, to hear it owned, even by
‘ the gentlemen who have spoke upon the other
‘ side of the question, that our happy situation,
‘ as an island, may often, though, as they say,
‘ not always, furnish us with a proper opportuni-
‘ ty, for vindicating and asserting our rights and
‘ privileges against any neighbouring nation what-
‘ ever. I am of opinion, Sir, that our situation
‘ will always furnish us with such an opportunity,
‘ if we have the good luck to be under a prudent
‘ and wise administration; because, while we hold
‘ the balance of power in *Europe*, we shall always
‘ be provided with such an opportunity; and,
‘ we can never lose holding the balance of power
‘ in *Europe*, but by a long series of egregious
‘ blunders. However, supposing that our situa-
‘ tion does not always furnish us with such an
‘ opportunity, if, as the gentlemen say, it often
‘ does, I cannot comprehend how it has happen-
‘ ed, that we could find no such opportunity for
‘ these twenty years past; for, every one knows,
‘ that it is more than twenty years since the *Spa-*
‘ *niards* first began to incroach upon or invade
‘ some of our rights or privileges; and, it must
‘ be

‘ be granted, that since they first began, they
‘ have continued without any long intermission.
‘ I am, therefore, very suspicious, we have of
‘ late years neglected several good opportunities
‘ for compelling them to settle all disputes with
‘ us to our own liking; and, from thence, there
‘ is, I think, great reason to fear, that those who
‘ have neglected past opportunities, will not
‘ make a good use of any future, nor take ad-
‘ vantage of the next that happens, unless we lay
‘ them under a sort of necessity for so doing, by
‘ the resolutions we come to upon this occasion;
‘ for which reason, whatever confidence I may
‘ place in his Majesty’s wisdom and conduct, I
‘ am not for our placing such an entire confidence
‘ in the wisdom and conduct of his ministers, as
‘ some gentlemen seem desirous we should.

‘ In deliberating what we ought to do upon
‘ the present occasion, we are not, Sir, to confi-
‘ der, whether the present conjuncture be a pro-
‘ per one, for repairing our wrongs, and vindi-
‘ cating our rights and privileges. We are to
‘ consider, what rights and privileges of this na-
‘ tion have been invaded by *Spain*, and what in-
‘ juries they have done us, in order to declare
‘ and represent them to his Majesty; and we
‘ are to consider and represent to his Majesty,
‘ in what manner the former ought to be assert-
‘ ed, and the latter resent. This we are to
‘ do, that his Majesty may from thence see the
‘ rights and privileges of his kingdom that
‘ have been invaded, and the injuries that have
‘ been done to his subjects; and that he may
‘ know what we think ought to be done upon
‘ such an occasion. His Majesty only, is to con-
‘ sider whether the present be a seasonable con-
‘ juncture, for doing what ought to be done; and
‘ if it is not, he will of course consider, how it
‘ comes, that the present conjuncture of affairs in
‘ *Europe,*

‘ *Europe*, happens to be so unfavourable for this
‘ nation. This will naturally make him reflect
‘ upon the late informations and advices he has
‘ received, and if they appear to have been
‘ wrong, it will make him change his measures,
‘ and perhaps his counsellors. If his Majesty
‘ should, upon examination, find, that the pre-
‘ sent is not a proper season for insisting upon
‘ such terms as we ought to have, he cannot, by
‘ the resolutions proposed, or by any resolutions
‘ of this house, be obliged to insist peremptorily
‘ upon such terms, nor can his ministers be expo-
‘ sed to any danger, for advising him to accept of
‘ less honourable or less convenient terms, rather
‘ than involve the nation in war, at such a junc-
‘ ture. If his Majesty should, on account of the
‘ present unlucky state of affairs in *Europe*, ac-
‘ cept of general acknowledgments and general
‘ promises, though such acknowledgments and
‘ promises should, as they probably will, prove
‘ ineffectual, the unseasonableness of the conjunc-
‘ ture will be a sufficient excuse, for those who
‘ advise him to do so, notwithstanding the resolu-
‘ tions of this house, providing they can shew,
‘ they had no hand in rendering the conjuncture
‘ so unfavourable for their country, nor had neg-
‘ lected to take advantage of any preceding con-
‘ juncture that was favourable. With regard to
‘ his Majesty, the only effect our resolutions can
‘ have, will be, to give him a full and true infor-
‘ mation, and, I hope, a wholesome advice; and,
‘ with regard to his ministers, the only effect our
‘ resolutions can have, will be, to make it dan-
‘ gerous for them to advise him to accept of, or
‘ ratify a dishonourable or ignominious treaty, at
‘ a time when the circumstances of our affairs
‘ both at home and abroad, afforded him an op-
‘ portunity for insisting upon honourable terms;
‘ and for both these purposes, I must think the
‘ resolu-

‘ resolutions first proposed will be much more ef-
‘ fectual, than the resolution proposed by the ho-
‘ nourable gentleman’s amendment.

‘ I must grant, Sir, that if a motion were to
‘ be made in this house, for an immediate decla-
‘ ration of war, let the present conjuncture be
‘ what it will, I should be against agreeing to
‘ such a motion; because, I really believe the af-
‘ fairs of *Europe* are, at present, in a state not
‘ very favourable for this nation; and, I must
‘ say, I am of opinion, it is pretty much owing
‘ to our own conduct. I am afraid it will be
‘ found, that for many years our neighbours, the
‘ *French*, have had the art to make us fall out
‘ with *Spain* whenever they had a mind; and
‘ after they had set the two nations by the ears
‘ together, they have had authority enough, to
‘ make us carry on the war in such a manner,
‘ and agree to an accommodation upon such
‘ terms, as they were pleased to prescribe. By
‘ this management the *Spaniards* have found,
‘ that they can expect nothing from our friend-
‘ ship, nor need fear any thing from our enmity;
‘ which has been the chief cause of their insult-
‘ ing behaviour towards us, and will always,
‘ while it subsists, produce the same effect; and
‘ by the same management, I am afraid, our cha-
‘ racter has been so much lessened at all the courts
‘ of *Europe*, that none of them are now fond
‘ of an alliance with us, nor ready to give us
‘ their assistance. If I have been rightly inform-
‘ ed, even our good allies the *Dutch* begin to
‘ look cool upon us, for I have been told that
‘ an application was lately made to them, to join
‘ with us against *Spain*, and that they answered
‘ coolly, *If Spain pretends to do us an injury, we*
‘ *know how to right ourselves without your assis-*
‘ *tance.* Whether this be true or not, our mi-
‘ nisters know much better than I can pretend to;
‘ but

‘ but if it is, I must from thence conclude, we
‘ have not an ally in *Europe*; we could trust to
‘ for assistance, in case of a war; and therefore
‘ I must conclude, that the present is a very un-
‘ seasonable conjuncture, for us to declare war
‘ against *Spain*; because we cannot foresee what
‘ assistance they might, in such a case, meet with,
‘ from some of the other powers of *Europe*, es-
‘ pecially from those who are naturally no great
‘ friends to this nation. However, Sir, this, as
‘ I have said, is no argument against our agreeing
‘ to the resolutions first proposed; because, they
‘ will no way lay his Majesty under an immedi-
‘ ate necessity of declaring war: They will only
‘ shew him what we think ought to be done;
‘ and as our coming to such resolutions will be
‘ an argument for convincing our old and natu-
‘ ral allies, that the nation has at last got out of
‘ its leading strings, as the resolutions of Parlia-
‘ ment will have greater weight, and will be
‘ more confided in, than the resolutions of any
‘ of his Majesty’s other councils, our coming to
‘ such resolutions, may probably restore our cha-
‘ racter at foreign courts, and thereby enable his
‘ Majesty to bring about such an alteration in
‘ the affairs of *Europe*, as will furnish us with a
‘ good opportunity for resenting the injuries we
‘ have met with, and for vindicating and assert-
‘ ing every one of the rights or privileges of
‘ the nation, that has lately been invaded, or
‘ any way incroached on

‘ I am extremely surprized, Sir, to hear the
‘ least insinuation made, that we ought always
‘ to approve of what appears to be the senti-
‘ ments of his Majesty’s ministers, or that we
‘ ought, upon all occasions, to speak their sense
‘ only. To establish this, as a rule for our con-
‘ duct, would be such a disgrace, as, I hope,
‘ this house will never incur. I have so good an

‘ opinion even of this Parliament, that I cannot
‘ imagine we will approve of this maxim ; be-
‘ cause, no Parliament that establishe or observes
‘ such a maxim, can be of any use, either to
‘ their King or their country ; therefore, I hope,
‘ we will, by our resolutions of this day, con-
‘ vince the world, that we are no way under the
‘ direction or influence of our ministers of state.
‘ It is a maxim, Sir, That we ought not to speak
‘ ill of the dead ; but, this maxim relates to dead
‘ men, not to dead Parliaments : Of Parliaments,
‘ we must say nothing amiss, while they are liv-
‘ ing ; but, after they are dead, we are allowed
‘ to tell the truth, and to give our sentiments
‘ of them freely. This Parliament will soon
‘ come to die, as others have done before it : It
‘ can live but a very few years longer ; therefore,
‘ let us consider what people will say of us, when
‘ we are dead, if we should give the least reason
‘ to suspect, that we approved of such a maxim.
‘ Some former Parliaments have seemed, by their
‘ behaviour, to approve of this maxim : They
‘ seemed to speak, upon all occasions, the sense
‘ of our ministers, and their sense only ; but, I
‘ am sure, the character now generally given to
‘ those Parliaments, can be no encouragement for
‘ us to follow their example. If we have a mind
‘ to produce, by our resolutions, any change in
‘ the conduct of *Spain* towards this nation, we
‘ must not, upon this occasion, shew a thorough
‘ approbation of the measures or sentiments of
‘ our ministers. For above this dozen of years
‘ past, it has appeared, that there was a thorough
‘ understanding and agreement between our Par-
‘ liaments and our ministers ; the resolutions of
‘ the former have been nothing but echoing back
‘ the resolutions of the latter, and the sentiments
‘ and measures of the latter have been all, I shall
‘ not say implicitly, approved of by the former ;
‘ yet,

‘ yet, during a course of so many years, it has
‘ not produced the least variation in the conduct
‘ of *Spain*, with regard to their behaviour to-
‘ wards this nation. On the contrary, I believe
‘ it has encouraged them to continue their insults
‘ and depredations. It is therefore now high
‘ time for us to alter our method, in order to
‘ convince the *Spaniards*, that, whatever hopes
‘ they may have of being still able to amuse our
‘ ministers, they can no longer hope for being
‘ able, even with the assistance of *British* mini-
‘ sters, to amuse a *British* Parliament.

‘ Having thus, Sir, shewn, that every argu-
‘ ment made use of in favour of the amendment
‘ proposed, is either an argument built upon a
‘ false supposition, or an argument that operates
‘ strongly against our agreeing to the amendment,
‘ and for our agreeing to the resolutions first pro-
‘ posed to us, I shall observe, that, if we con-
‘ sider the last *Spanish* memorial, and the estimates
‘ for the service of the ensuing year, we shall
‘ find, in my opinion, an irresistible argument
‘ for coming to the most vigorous resolutions up-
‘ on the present occasion. By the last *Spanish*
‘ memorial it appears, that the court of *Spain*
‘ are as far from yielding to grant us either sa-
‘ tisfaction or security in a peaceable way, as they
‘ were seven years ago; and yet, by the esti-
‘ mates for the ensuing year, it appears, that we
‘ have no design to seek for it in any other way.
‘ It is an old maxim in treaty-making, that the
‘ best method of treating is to treat sword in
‘ hand. We have been treating for these eight
‘ or nine years, without sword in hand, and the
‘ event has shewn the mistake we have been guil-
‘ ty of; for, by what I can find, we are not
‘ now so near our purpose, as we were when we
‘ first began; because, our complaints, and con-
‘ sequently our demands, increase daily, and the

‘ more they increase, the more difficult we shall
 ‘ find it to obtain full satisfaction. It was there-
 ‘ fore, in my opinion, high time for us, at the
 ‘ beginning of this session, to think of altering
 ‘ our method of treating: It was high time for
 ‘ us to think of putting ourselves in a condition
 ‘ to treat sword in hand; and for this reason, I
 ‘ was surprized to find, by the estimates for this
 ‘ ensuing year, that no more than 10,000 seamen
 ‘ were demanded for that service. I expected
 ‘ that 20,000 seamen at least would have been
 ‘ demanded; nay, if 30,000 had been demand-
 ‘ ed, I should have been for agreeing to it; be-
 ‘ cause, I think even that number may be useful-
 ‘ ly employed. But as no greater number has
 ‘ been demanded, than what is usual in time of
 ‘ peace, I am from thence convinced, that our
 ‘ ministers have no thoughts of altering their me-
 ‘ thod of treating; and as that method has been
 ‘ pursued for so many years without any effect,
 ‘ I think it is now incumbent upon us, to come
 ‘ to such resolutions, as may oblige them to alter
 ‘ their method, which, I am sure, the resolution
 ‘ proposed by the amendment the honourable
 ‘ gentleman has been pleased to offer, will never
 ‘ do. Therefore, I hope the amendment will be
 ‘ disagreed to, in order that the question may be
 ‘ put, and agreed to, upon the several resolutions
 ‘ that were first proposed.’

I shall next give you a speech made by *Ed-ward Montague Wortley*, Esq; upon the same sub-
 ject, which was to the following effect, *viz.*

‘ Mr. Speaker,

Mr. Wort-
ley's Speech.

‘ Sir, As I do not pretend to know the present
 ‘ views of the *Spanish* court, nor the opinion
 ‘ they have of this nation, I shall not take upon
 ‘ me to determine which of the two propositions
 ‘ made

‘ made to us, will be most effectual for procuring
‘ that remedy and relief the petitioners pray for.
‘ I am afraid, neither of them will prove effec-
‘ tual: Nay, I doubt much, if an order or reso-
‘ lution for 20,000 seamen for the service of the
‘ ensuing year, or even the fitting out a formida-
‘ ble squadron, with fire-ships, bomb-ketches,
‘ and all the other utensils of war, would pro-
‘ cure such a satisfaction or security from that na-
‘ tion, as we ought to insist on; for they have of-
‘ late seen us fit out so many expensive and hos-
‘ tile-like squadrons, without any hostile intention,
‘ that, I believe, they will not now think we are
‘ in earnest, till they not only see our squadrons,
‘ but feel the effects of the orders that have been
‘ given to such squadrons. I believe, a *British*
‘ squadron sent into the *Mediterranean*, and an-
‘ other to the *West-Indies*, with such orders, as
‘ that *British* squadron had, which was sent into
‘ the *Mediterranean* in the year 1718, would
‘ soon make them feel the effects of *British* re-
‘ sentment; and, would prove more effectual
‘ than any resolution now proposed, or any re-
‘ solution we can come to.

‘ I shall not say, Sir, that I would be fond of
‘ putting the nation to the expence of 20,000,
‘ or 30,000 seamen, for the service of the ensu-
‘ ing year, unless I were very well assured, that
‘ a proper use would be made of them; and if
‘ this nation should be put to any such expence,
‘ by the obstinacy of the *Spanish* court, I hope
‘ that expence will be added to the other de-
‘ mands we have upon that nation; for whatever
‘ man or nation refuses to satisfy a just demand,
‘ ought to be loaded with the cost and charges,
‘ which the other party is necessarily put to, in
‘ recovering what is due to him. Therefore, if
‘ any addition be made to the number of our sea-
‘ men, as that addition can be made upon no

‘ other account, but on account of the court of
‘ *Spain*’s refusing, or unreasonably delaying, to
‘ do us justice, I hope the expence the nation is
‘ put to on that account, will be ascertained, and
‘ the repayment of it specifically stipulated, in the
‘ next treaty that shall be concluded between the
‘ two nations. I hope, I shall never hear any
‘ gentleman in this house, pretend to charge that
‘ expence upon this nation as a new debt; nor
‘ will it, I hope, prevent our paying off any part
‘ of the old.

‘ I must confess, Sir, that I believe the present
‘ conjuncture of affairs in *Europe*, to be a very
‘ unfavourable one for this nation; and, I be-
‘ lieve so, because I find the honourable gentle-
‘ man, who proposed the amendment, so much
‘ afraid of our doing any thing, that may tend
‘ to involve the nation in a war with *Spain*. Those
‘ fears must either proceed from a consciousness of
‘ the bad state of affairs abroad, or, from a con-
‘ sciousness of the weakness of this nation, when
‘ compared with the superior power of the king-
‘ dom of *Spain*; for, I am sure, no gentleman
‘ that knows him, can suppose them to proceed
‘ from any natural pusillanimity of his own.

‘ Now, Sir, as neither he, nor any man else,
‘ can suppose the power of *Spain* any way supe-
‘ rior to the power of this nation; therefore, his
‘ fears must proceed from his being conscious,
‘ that the present conjuncture of affairs in *Europe*
‘ is not a favourable one for us; and, as I must
‘ suppose, from the station he is in, that he is
‘ fully apprized, how affairs stand abroad; there-
‘ fore, upon the credit of his judgment, I be-
‘ lieve, they are at present in a situation very un-
‘ lucky for this nation; but this is so far from
‘ being a reason for our not coming to vigorous
‘ resolutions, that I think it a good reason for our
‘ coming to more vigorous resolutions, and reso-
‘ lutions

‘ lutions of a more domestick nature, than any
‘ yet proposed; for the affairs of *Europe* can ne-
‘ ver be brought into a bad situation for us, with-
‘ out some mismanagement of our own; and if
‘ we are, by our own mismanagement, brought
‘ into such difficulties, that we must suffer the
‘ most cruel usage, without daring to shew a pro-
‘ per repentment, I do not think it would be pru-
‘ dent in us, who are the representatives of the
‘ people, I do not think it would be consistent
‘ with the duty we owe to our Sovereign, to trust
‘ entirely, for our deliverance, to those who had,
‘ by their blindness, ignorance, or wickedness,
‘ led us into the mire.

‘ What reasons the *Spaniards* may have for
‘ treating us in such a manner, or what reasons
‘ we may have for suffering such treatment, and
‘ for suffering it so long, I do not know; but to
‘ me, Sir, the two nations seem to have entirely
‘ changed conditions since the year 1667. As I
‘ have had a particular opportunity, for making
‘ myself acquainted with the transactions between
‘ *Spain* and us about that time, I must let you
‘ know, Sir, that at the time of settling the trea-
‘ ty, which was that year concluded between the
‘ two nations, and for some time before, we trea-
‘ ted the *Spaniards* in the same manner in which,
‘ I believe, they now treat us. Our ships in the
‘ *American* seas, under some pretence or other,
‘ plundered or made prize of almost every *Spanish*
‘ ship they met with in those seas. The *Spani-*
‘ *ards* justly complained of this treatment, and,
‘ by their minister here, presented several memo-
‘ rials to our court upon the subject. Our court
‘ did not pretend to justify such depredations,
‘ but pretended ignorance, and that they would
‘ order satisfaction as soon as the complaints could
‘ be enquired into. In the mean time, to keep
‘ the *Spaniards* easy, and to amuse their court,

orders were issued to our governors, and to the commanders of our ships of war, in the *West-Indies*, expressly enjoining them to forbear all such depredations or hostilities for the future. These orders were shewn to the *Spanish* minister here, and were sent to our respective governors and commanders of ships in the *West-Indies*; but at the same time private letters were dispatched to those governors and commanders, not to regard the orders sent them, but to follow such orders, as they should from time to time receive from our governor of *Jamaica*; so that the depredations were continued, notwithstanding the orders of our court to the contrary. I believe, if the court of *Spain* now sends any orders to the *West-Indies*, they play the same game upon us; but the difference is, that our treating them in this manner, continued but a very short while, and they were in no condition to resent the injury; whereas their treating of us in this manner, has continued ten times as long, notwithstanding our being, the whole time, in a condition to revenge ourselves.

This, Sir, is a circumstance which very much alters the case; and, since we have so long made use of our persuasive power in vain, I think it is high time for us to begin to think of making use of our compulsive power, and to take proper measures for that purpose; for, let the present conjuncture of affairs in *Europe* be never so unfavourable, I am certain, that, by prudence and good conduct, we may very soon bring about such an alteration in the affairs of *Europe*, as will furnish us with a favourable one. As to the two propositions now before us, if you proceed no farther, I am easy, Sir, about which of them may be agreed to; but, as the resolution the honourable gentleman has by his amendment proposed, contains nothing more than
what

‘ what was in the resolutions this house has formerly come to upon the same subject; and, as neither of those resolutions has had any effect, I am sure the resolution he has proposed can have none, and therefore, I cannot agree to it. Then, Sir, with regard to the resolutions first proposed, as I do not know, but they may have some effect, and especially, as I hope they will be followed by some other resolutions of a different nature, I am therefore for agreeing to them; and, for this reason, shall give my negative to the amendment.’

The debate being ended, the question was of course put upon the amendment offered by Sir *Robert Walpole*, and carried in the affirmative; and the motion being thus amended, was agreed to without any farther debate.

This address was accordingly presented to his Majesty by the house on *Thursday* the 6th of *April*, and his Majesty was pleased to give this most gracious answer, *viz.*

Gentlemen,

I AM fully sensible of the many and unwarrantable depredations committed by the Spaniards; and you may be assured, I will make use of the most proper and effectual means, that are in my power, to procure justice and satisfaction to my injured subjects, and for the future security of their trade and navigation. I can make no doubt, but you will support me, with cheerfulness, in all such measures, as, in pursuance of your advice, I may be necessitated to take for the honour of my crown and kingdoms, and the rights of my people.

His Majesty's answer to the Commons address.

The same day on which the above-mentioned petitions against the *Spanish* depredations were presented

Button manufacturers petition with the debate upon it.

presented to the house of Commons, a petition was presented to that house by Mr. *Cholmondley* in the name of the manufacturers of raw silk and mohair, and of needle-work buttons, and of the traders and dealers therein, whose names were thereunto subscribed in behalf of themselves and other manufacturers, &c. in several towns and counties in *Great Britain*, which petition being read, set forth,

“ That raw silk and mohair, employed in
 “ making buttons and button-holes, being com-
 “ modities that are purchased in *Turkey*, and
 “ other foreign parts, in exchange for the wool-
 “ len and other manufactures of this kingdom ;
 “ the Parliament, for the greater encouragement
 “ of the consumption of the said commodi-
 “ ties, had pass’d an act in the seventh year
 “ of his late Majesty King *George* the first,
 “ intituled, *An act for employing the manufactu-*
 “ *rers, and encouraging the consumption of raw*
 “ *silk and mohair, by prohibiting the wearing of*
 “ *buttons and button-holes made of cloth, serge,*
 “ *and other stuff.* In consequence of which, and
 “ other acts of the like tendency, many thou-
 “ sands of families were preparing silk, mohair,
 “ yarn, and thread employed in making buttons
 “ and button-holes with the needle. But that in
 “ evasion, and contrary to the intention of the
 “ said act, great quantities of stuffs made of
 “ horse-hair, or mixed therewith, have been
 “ lately wove in narrow breadths or slips, and
 “ used only for making and binding of buttons
 “ and button-holes, to the great detriment and
 “ impoverishing of many thousands, who had no
 “ other way of subsisting but by working of
 “ buttons and button-holes with the needle, and
 “ prejudice of the woollen manufacturies of the
 “ kingdom. And therefore the petitioners prayed
 “ that the house would give leave that a bill be
 “ brought

“ brought in to explain the said act, and that the
“ petitioners be relieved in such manner as to the
“ house shall seem meet.”

This petition being referr'd to the consideration of a committee, on the 10th of *March*, Mr. *Cholmondley* made the report from the said committee, and leave was given to bring in a bill according to the desire of the petition. The bill was accordingly presented, and read for the first time on the 14th of *March*, and ordered a second reading; but before it came to a second reading, several petitions were presented from the manufacturers and dealers in woven buttons, praying to be heard by counsel against the bill; the desires of which petitioners were granted, and the petitions ordered to lie upon the table until the bill was read a second time; as were also petitions from the manufacturers and traders in the needlework buttons in several towns in *Great Britain*, expressing their apprehensions that the general trade of the kingdom would be affected, and the exports of the woollen and other manufactures to *Turkey* greatly decreased, and many thousands of themselves reduc'd to great indigence, if the said bill did not pass into a law.

On the 10th of *April*, the bill was read a second time, and counsel being heard both for the bill and against it, and several witnesses examin'd, the bill was committed, and all who came to the committee were to have votes.

The 18th of *April*, Mr. *Cholmondley* reported from the committee, that they had found the allegations in the bill true; upon which the bill with the amendments made in the committee were ordered to be engrossed. The 25th of *April*, the bill was read a third time, and the question being put, if it should pass,

Henry Fox, Esq; spoke as follows.

Mr. Fox's
speech.

‘ Mr. Speaker,

‘ Sir, I don’t stand up to oppose this bill from
‘ any consideration how far particular persons may
‘ be affected by its fate, but from a conviction
‘ that, instead of its being of real service to the
‘ commerce or manufactures of the kingdom, if
‘ it passes into a law, it may do hurt to both. I
‘ have heard the witnesses both for and against the
‘ bill examin’d, I was likewise present when the
‘ counsel on both sides was heard at the bar of
‘ the house; and by what I could gather from
‘ the evidence of the one and the pleadings of
‘ the other, the practice of weaving buttons can
‘ never prevent any of the good consequences
‘ that were intended by the several acts of Parlia-
‘ ment, in favour of the consumption of raw silk
‘ and mohair, from being effectual; and that the
‘ manufacture which the bill is intended to de-
‘ stroy, ought to receive the greatest encourage-
‘ ment from the legislature. Therefore, Sir, till
‘ I hear better reasons in support of this bill than
‘ any I have yet heard, I must be against our
‘ passing it into a law.’

He was answer’d by *Charles Cholmondley, Esq;*
as follows.

‘ Mr. Speaker,

Mr. Chol-
mondley's
speech.

‘ Sir, I have the misfortune to differ so much
‘ from the honourable gentleman who spoke last,
‘ that, I think, if ever any bill of this kind de-
‘ served the encouragement of the legislature, the
‘ present does. I think it is generally allowed
‘ that one of the characters of a beneficial trade,
‘ is, when a nation exports its manufactures and
‘ native commodities for such goods as receive a
‘ further manufacturing in that nation. Former Par-
‘ liaments in this kingdom, seem to have been so
‘ sensible,

‘ sensible, that the importation of raw silk and
‘ mohair was of the greatest advantage to the na-
‘ tion, by increasing the export of our woollen
‘ and other manufactures, that few branches of
‘ trade have met with greater encouragement from
‘ the legislature, than the making of buttons and
‘ button-holes with the needle. So far back as the
‘ fourteenth year of King *Charles II.* this house
‘ thought a petition from the manufacturers of
‘ wrought buttons and button-holes so worthy
‘ their consideration, that an act was passed, *Pro-*
‘ *hibiting the importation of foreign buttons and*
‘ *needle-work, under the penalty of 50l. and forfei-*
‘ *ture of the goods so prohibited.* The petition, Sir,
‘ that gave rise to that act, was presented to the
‘ house, on the very motive, that gave occa-
‘ sion to the bill now before us; which was the
‘ relief of great numbers of the inhabitants of
‘ this nation, who gained their living, and had
‘ been able to relieve their indigent neighbours,
‘ and set on work many poor children by their
‘ skill and dexterity in this manufacture, and who
‘ were in danger to have been all ruined by the
‘ practice, then introduced, of importing foreign
‘ buttons and button-holes into the kingdom.

‘ In the tenth year of King *William III.* the in-
‘ tention of the former acts in favour of this ma-
‘ nufacture, had been so much frustrated by the
‘ making and wearing of buttons made of shreds
‘ of cloth, camblet, and other stuffs, that num-
‘ bers of poor people employed in manufacturing
‘ buttons with the needle were thrown upon their
‘ respective parishes; this induced the legislature
‘ to pass an act just of the same nature with that
‘ now under our consideration; by which, *But-*
‘ *tons made of cloth or any of the stuffs of which*
‘ *wearing apparel was usually made, was probi-*
‘ *bited under the penalty of 24l. per dozen.* But
‘ as this act did not extend to button-holes, in
‘ the

‘ the eighth year of *Queen Anne* an act passed,
 ‘ which took notice, that the intention of the last
 ‘ act had been of late, in a great measure, ren-
 ‘ dered ineffectual by an artificial and unforeseen
 ‘ practice of making and binding button-holes
 ‘ with cloth, serge, and other stuffs, to the ut-
 ‘ ter ruin of numbers of families. Therefore,
 ‘ *Button-holes as well as buttons, made of, or bound*
 ‘ *with such stuffs were prohibited under the penalty*
 ‘ *of 5l. per dozen upon the taylor, seller, or maker*
 ‘ *of any such buttons or button-holes so prohibited.*
 ‘ But this act, Sir, proving no more effectual
 ‘ than the former acts I have mentioned, for an-
 ‘ swering the good intentions of Parliament, an act
 ‘ was made in the fourth year of *King George I.*
 ‘ by which all cloaths and wearing garments made
 ‘ with buttons and button-holes, prohibited by
 ‘ the former acts, were liable to be forfeited and
 ‘ seized, except where the cloaths were made of
 ‘ velvet. It might have been reasonably hoped,
 ‘ Sir, after such precautions taken by Parliament,
 ‘ that the good ends proposed by the several acts
 ‘ I have mentioned would have been no longer
 ‘ eluded ; but in the seventh year of *King George*
 ‘ *I.* some further regulations on this head were
 ‘ found absolutely necessary. Some gentlemen who
 ‘ are present may remember, that at that time the
 ‘ only method that could be thought of for that
 ‘ purpose, was to extend the penalty to the wear-
 ‘ er of such prohibited buttons and button-holes
 ‘ as well as to the maker and taylor. This gave
 ‘ occasion for passing the act intituled, *An act for*
 ‘ *employing the manufacturers, and encouraging the*
 ‘ *consumption of raw silk and mohair yarn, by pro-*
 ‘ *hibiting buttons and button-holes made of cloth,*
 ‘ *serge, or other stuffs.* And by this act, the pe-
 ‘ nalty of 24 *l.* was laid upon the person who
 ‘ wore such prohibited buttons and button-holes:
 ‘ This act, for some time, had a very good ef-
 ‘ fect,

fect, and the manufacturers, from the encouragement which the Parliament has given them from time to time, have made a great many improvements in their trade, and brought it to such a perfection, that they are able not only to supply the natives of this kingdom, but export considerable quantities of them to foreign parts. So that, Sir, another character of a good trade is answered by this manufacture, which is, the manufacturing and improving in order for re-exportation, a commodity that is imported. Therefore, Sir, this act deserves the countenance of the legislature as much, if not more, than any act relating to our manufactures, that has passed this house for some years: First, as it tends to take off large quantities of a staple commodity of this kingdom; and secondly, as it adds to the exports of the nation: Both which in a nation that subsists by commerce are of the greatest consequence.

But, Sir, besides the advantages I have already mentioned, it is easy to make it appear, that the encouragement given to this manufacture is a considerable ease to the landed interest. I could name, Sir, many places of the kingdom, where the poor, if not employed in this manufacture, must be either thrown upon their respective parishes, or obliged to beg their bread. I dare say, Sir, that in the several towns and cities from which petitions have come before this house in favour of the bill, there are no fewer than 14,000 inhabitants who are incapable to get their bread in any other way than by applying to this business. For, Sir, give me leave to observe, that in this manufacture, there is one thing peculiar, which is, that there are few infirmities either of age or sickness, that disable the manufacturers from applying themselves to some branch of it, either in twisting
the

‘ the yarn, making the molds, or sowing the but-
‘ tons, besides many other smaller arts that are
‘ absolutely necessary for carrying it on. This,
‘ Sir, may be the reason why so great numbers
‘ are employed in this manufacture, and why
‘ some traders have found their account in em-
‘ ploying all their stocks, which often are very
‘ considerable, that way.

‘ Having thus laid before you, Sir, the advan-
‘ tages arising to this nation from the carrying
‘ on and improving this manufacture, I shall beg
‘ leave to trouble the house with a few words
‘ more, with regard to the discouragement which
‘ it must meet with, if this act should not pass.
‘ The late practice of weaving silk and mohair in
‘ looms, for the making of buttons and button-
‘ holes is but in very few hands, when compared
‘ with the numbers who get their bread by the
‘ needle-work manufacture, and, if encouraged,
‘ may, in a short time, quite frustrate the inten-
‘ tions of the former acts relating to this affair.
‘ Those buttons that are covered with slips
‘ wrought in the loom, not being distinguishable
‘ from those covered with shreds of camblet or
‘ other stuffs, cannot fail of encouraging that
‘ practice, which, as the act of the seventh of
‘ *George I.* is still in force, may put the subjects
‘ to very great inconveniencies. For instance, if
‘ a gentleman should employ a roguish taylor to
‘ make him a suit of cloaths, and the taylor, in-
‘ stead of giving him buttons, either made with
‘ the needle, or woven in the loom, shall give
‘ him those covered with shreds of camblet or
‘ other stuffs: In such a case, the gentleman, Sir,
‘ is liable to a penalty, though quite innocent of
‘ any intention to break this act of Parliament;
‘ so that, Sir, this practice of weaving buttons is
‘ not only subject to the inconvenience I speak
‘ of, but gives a handle to intolerable impositions
‘ and

‘ and frauds that may be practised by tradesmen.
‘ We had a remarkable instance, Sir, how easily
‘ this fraud may be practised, in the evidence gi-
‘ ven in at the bar of this house, by some of the
‘ principal witnesses brought to support the argu-
‘ ments of the counsel against the bill. When a
‘ parcel of buttons was laid before them, some
‘ woven in the loom, others made of shreds of
‘ camblet and other such stuffs, though it was
‘ pretended that the one might be easily distin-
‘ guished from the other, yet none of the eviden-
‘ ces could positively say which was the one or
‘ which was the other, till they had looked to
‘ that part of the button, that is sowed to the
‘ coat; and not even then without great difficul-
‘ ty; for some of them were obliged to go to the
‘ light, in order to view them more narrowly,
‘ and after all some of them were mistaken, and
‘ others could not positively distinguish them.
‘ If it was so hard, Sir, for these evidences, who
‘ are themselves manufacturers and dealers in
‘ woven buttons, how hard must it be to me, or
‘ another man who knows nothing of the matter!
‘ But, Sir, besides this inconvenience to particular
‘ persons, such a practice must soon very much
‘ affect the trade of the kingdom in general.
‘ The practice of making buttons of shreds of
‘ stuff will in a short time become common a-
‘ mongst our lower and middling sort of people,
‘ and do great prejudice both to the exportation
‘ of our woollen manufactures, and to the nume-
‘ rous dealers in needle-work buttons at home:
‘ By diminishing the demand for raw silk and
‘ mohair, we diminish the exports of our woollen
‘ goods; and by encouraging woven buttons, we
‘ endanger the sale of the commodities in foreign
‘ markets; and thereby we may diminish another
‘ branch of our exports. For, Sir, let us suppose
‘ that a foreign dealer gives commission to his
‘ factor

‘ factor here for a parcel of buttons; the factor,
‘ either through ignorance or design, sends him
‘ buttons covered with shreds of camblet or other
‘ stuff, instead of buttons woven in the loom. Is
‘ it not plain, Sir, that such a practice must soon
‘ prove the ruin of this branch of trade, and in-
‘ tirely sink the credit of those who deal in it in
‘ foreign markets? But this, Sir, is not the only
‘ bad consequence that will attend our not passing
‘ this bill into a law. It will be evident to any
‘ gentleman, who shall take the trouble of read-
‘ ing former acts that have passed on this head,
‘ that in passing them, the legislature had an eye
‘ not only to the encouragement of the consump-
‘ tion of raw silk and mohair, and the exporta-
‘ tion of our staple commodities, but likewise to
‘ the employment and subsistence of many thou-
‘ sands of men, women and children, who must
‘ have been very burdensome to the publick, had
‘ it not been for the needle-work manufacture.
‘ And give me leave to say, Sir, that if the com-
‘ mon maxim is true, That that manufacture is
‘ most profitable for a nation which employs the
‘ greatest number of hands; the manufacture of
‘ needle-work buttons deserves the attention and
‘ encouragement of Parliament perhaps better
‘ than any other in the kingdom. For in the
‘ preamble of the act of the tenth of *William III.*
‘ no less than five different kinds of workers are
‘ mentioned to be employed in preparing the
‘ materials for making the buttons. Therefore,
‘ Sir, I think by all the rules of good policy, we
‘ are obliged to second the intentions of former
‘ Parliaments in favour of this manufacture, by
‘ passing the bill now before us. It has already
‘ employed great part of our time this session,
‘ and every step made in it has been taken upon
‘ the most mature deliberation, and after weigh-
‘ ing all the consequences that can attend it of

‘ every kind. By passing this act, we do no more
 ‘ than former Parliaments would have done, had
 ‘ the inconveniency complained of been foreseen
 ‘ at the time of passing the several acts, I have
 ‘ mentioned, and in not passing it, I am afraid
 ‘ all their intentions in favour of this manufac-
 ‘ ture may be rendered ineffectual.’

He was answered to the following effect, by
Henry Archer, Esq;

‘ Sir, I shall readily agree with the honourable Mr. Archer's
speech,
 ‘ gentleman who spoke last, that the manufacture
 ‘ now under our consideration is of very great
 ‘ consequence to the trade of this nation; and
 ‘ that it has from time to time met with great
 ‘ encouragement from the legislature. Therefore,
 ‘ Sir, if I thought that the good ends proposed
 ‘ by former Parliaments had been rendered ineffectual, and that our passing the present bill
 ‘ could render them more effectual, I should be
 ‘ far from opposing it. But, on the other hand,
 ‘ as I am persuaded it can no way answer that
 ‘ purpose, and at the same time, that it tends to
 ‘ do a manifest injustice to many of his Majesty's
 ‘ subjects in their private properties, I shall beg
 ‘ leave to give my reasons why I think myself
 ‘ obliged to oppose it.

‘ The design of the encouragement, which the
 ‘ manufacturing of raw silk and mohair into but-
 ‘ tons and button-holes has met with, was princi-
 ‘ pally, as the honourable gentleman who spoke
 ‘ last seem'd to allow, to encrease the exportation
 ‘ of our woollen manufactures: Therefore, Sir,
 ‘ I think it undeniably follows that if the manu-
 ‘ facturing of buttons by weaving them in the
 ‘ loom, consumes as much raw silk and mohair
 ‘ as working them needleways, it effectually an-
 ‘ swers the chief end proposed by former acts of

‘ Parliament that relate to this manufacture. But
‘ by the manner in which the honourable gentle-
‘ man reasons on this head, one should be apt to
‘ think that these acts restrained this manufacture
‘ to be carried on by the needle alone, and laid
‘ a prohibition upon all other methods of impro-
‘ ving it. But this, Sir, is a consequence that
‘ can never be admitted by any one who either
‘ looks into these particular acts, or understands
‘ the nature of our laws in general. If these
‘ words *Needle* and *Needle-work* occur in these
‘ acts, it can be for no other reason but because
‘ no other words were known at that time to ex-
‘ press the manner of the manufacturing of raw
‘ silk and mohair into buttons. Had the practice
‘ of weaving them in the loom been at that time
‘ known, I think we have not the least reason to
‘ doubt that the same acts would have regarded
‘ that manner of exercising this art, as well as
‘ the other by the needle. So that, Sir, I hum-
‘ bly conceive, if it can be proved, first, that not
‘ a less, but rather a greater quantity of raw silk
‘ and mohair is consumed by the loom-manufac-
‘ turers, than by the needle-workers; secondly,
‘ that there is no weight in the honourable gen-
‘ tleman’s argument drawn from the great num-
‘ ber of hands employed in the needle-work ma-
‘ nufacture; and lastly, that the dealers in the
‘ loom-manufacture have in proportion exported
‘ greater quantities of their goods than the needle-
‘ workers have done; I say, Sir, if these three
‘ points can be made appear, as I shall undertake
‘ to do, then the arguments advanced in favour
‘ of this bill must fall to the ground.

‘ The gentlemen who were present when the
‘ witnesses against the bill were examined at the
‘ bar of this house, may remember, that it ap-
‘ peared by some of them who had weighed the
‘ materials employed in covering a dozen of
‘ needle-

‘ needle-work buttons with the same quantity of
‘ woven buttons, that the latter exceeded the for-
‘ mer in weight; and that, after the woven but-
‘ tons were made, the manufacturers were obliged
‘ to cut off some part of the list from each but-
‘ ton where it is sewed to the coat, which waste
‘ still encreases the consumption of the materials.
‘ Nor could the evidences for the bill, Sir, de-
‘ ny, that there was at least an equal consumption
‘ of materials in the one manufacture as in the
‘ other. From hence, Sir, it is evident, that the
‘ carrying on this manufacture by the loom effec-
‘ tually answers the intention of the acts passed in
‘ its favour. As to the honourable gentleman’s
‘ other argument, drawn from the number of
‘ hands employed in the needle-work manufac-
‘ ture, which was the second point I proposed to
‘ speak to, it is, in my humble opinion, a very
‘ good argument for dismissing this bill; because,
‘ as the manufacture may be carried on by a
‘ much fewer number of hands, with equal ad-
‘ vantage to our trade in general, those who are
‘ employed in the needle-work way, are so many
‘ hands taken from other arts and other manufac-
‘ tures, in which they might be employed to
‘ much better purpose. I believe, Sir, it is not
‘ unknown to some gentlemen in this house, that
‘ many of our manufactures, very beneficial to
‘ the nation, labour under great disadvantages
‘ from the dearness of wages, occasioned by the
‘ scarcity of hands employed in them. But that
‘ inconveniency would be soon removed, if the
‘ useless people employed in this and other ma-
‘ nufactures were turned over to the manufactures
‘ that absolutely require them. Thus the honour-
‘ able gentleman’s objections arising from his
‘ tendernefs for these poor people, deprived of
‘ this way of earning their bread, will be remo-
‘ ved to the advantage both of the nation, and

perhaps of themselves. But to convince gentlemen how unreasonable this very argument is, I shall beg leave to apply it to other cases, where a manufacture or an art has received farther improvements by carrying it on with fewer hands. There was a time, Sir, when all the learning of this nation and the rest of *Europe* was contained in manuscripts, the writing of which employed great numbers of hands, and took up a vast deal of time in recopying. But, Sir, how ridiculous would it have been, if on the discovery of the art of printing, the transcribers and copyers of these manuscripts had joined in a petition to the legislature, that it would be pleased to prohibit the art of printing, for the same reason which the honourable gentleman now uses, because great numbers would thereby be deprived of bread! But admitting, Sir, this instance should be thought a little foreign to the present purpose, I shall beg leave to mention another, which, I think, exactly answers the case of the petitioners for this bill: The manufacturing of wool, silk and thread into stockings, when that manufacture was carried on by knitting, gave bread to, I believe, as great numbers of people, as the manufacture of needle-work buttons now does. But, Sir, I never heard that, when the invention of working stockings in the loom was introduced, great numbers of the subjects were reduced to want, and in danger of starving; or that any application was made to the Parliament in their behalf. In all civilized countries, Sir, inventions for the improvement of arts and manufactures have been encouraged; sometimes rewards, and sometimes exclusive rights to exercise them have been assigned to the inventors, who are always looked upon as benefactors to their country.

‘ Not

‘ Not only his Majesty and the general appro-
‘ bation of the kingdom gave a sanction to a late
‘ invention for improving one branch of the ma-
‘ nufacture of raw silk, but this very house re-
‘ warded the ingenious inventor with a gratuity
‘ of 14,000*l.* This excellent invention enabled
‘ us to carry on the manufacture with fewer hands
‘ than it required before, and was therefore justly
‘ look’d upon as a publick advantage. Now,
‘ Sir, I should be glad to know, if gentlemen
‘ would not have thought it a very ridiculous step
‘ in the former manufacturers, if they had pre-
‘ sented a petition to this house, setting forth,
“ That if the use of the engine invented by the
“ artist Sir *Thomas Lombe*, was not prohibited by
“ Parliament, many thousands of the petitioners
“ would be in danger of wanting bread.” I be-
‘ lieve, no gentleman can shew me wherein a pe-
‘ tition of this kind is different from the petitions
‘ that gave rise to the bill now under our confi-
‘ deration. Nor can I imagine that any argu-
‘ ment can be advanced in favour of this bill,
‘ that does not equally serve against the improve-
‘ ment, nay, the invention of any manufacture.
‘ The longitude, Sir, is a discovery that would
‘ consequently be a great improvement of navi-
‘ gation, by rendering it more safe, and voyages
‘ performed in a shorter time, and so make less
‘ employ for mariners. Were an ingenious man
‘ to discover the longitude, would not our sailors
‘ have as good reason to petition this house a-
‘ gainst that improvement of their art, as the
‘ needle-workers have to petition us against the
‘ improvement of theirs? and would they not
‘ have the same right to redress? Having there-
‘ fore, I hope, shewn that this argument drawn
‘ from the greater number of hands employed in
‘ the one manufacture than are employ’d in the
‘ other, is unreasonable in itself, and attended

‘ with the grossest absurdities, I shall now proceed
‘ to consider what effect this improvement can
‘ have upon our exports.

‘ I believe, Sir, it cannot be disputed that the
‘ cheaper a manufacture is carried on by a nation,
‘ the greater quantities of that manufacture will
‘ that nation be able to export. This truth, I
‘ am afraid, appears but too plainly in the pre-
‘ sent state of the *British* manufactures; in which
‘ our neighbours, the *French*, being able to fur-
‘ nish the same commodities at a cheaper rate,
‘ undersell us at most of the markets in *Europe*.
‘ Therefore, I think, Sir, it is undeniable that
‘ every improvement, which, by diminishing the
‘ number of hands required in a manufacture,
‘ reduces the price of the commodity, ought to
‘ meet with encouragement from this house.
‘ That the method of weaving buttons is more
‘ expeditious than that of needle-working, has I
‘ think in effect been owned by the honourable
‘ gentleman, and the counsel who have spoke for
‘ the bill. Now, Sir, the more expeditious the
‘ method, the greater is the reduction of hands
‘ employed. Because, if a man, who now deals
‘ to the value of 6000*l.* a year in buttons, is o-
‘ bliged to employ eight hands every day, if
‘ four hands, Sir, can do the same work that
‘ these eight hands can do; and in as short a time,
‘ he can discharge four of his hands, and thereby
‘ save half his expences, and consequently he will
‘ be able to serve a foreign market at a cheaper
‘ rate than he could before have done. The
‘ good effect of the reduction of hands employed
‘ in this manufacture appears from the examina-
‘ tion of the witnesses against the bill: For it has
‘ been proved, Sir, that, notwithstanding the
‘ obstructions they have met with from the peti-
‘ tioners for the bill, the loom-manufacturers
‘ have exported larger quantities, in proportion

‘ to the number of dealers, than the needle-work-
‘ ers have ever yet done; and there is, Sir, an
‘ obvious reason for it, which is, that the loom
‘ manufacturers not only can afford their commo-
‘ dities much cheaper than the needle-workers
‘ can, but their commodities are much better in
‘ their kind, much neater, and more lasting, as
‘ has been fully proved at the bar of this house.
‘ There is, I think, only one objection more,
‘ which I shall beg leave to answer: The peti-
‘ tioners for the bill alledged, that in the loom-
‘ manufacture many materials are used which are
‘ not mohair, and that therefore the loom-work-
‘ ers in some measure elude the intent of the acts
‘ of Parliament made for encouraging the con-
‘ sumption of that commodity. This allegation
‘ might have had some weight; but unfortunat-
‘ ly for the petitioners, it is not grounded on
‘ fact. For the loom-manufacture does not elude
‘ the intention of these acts of Parliament, be-
‘ cause, though the manufacturers indeed make
‘ use of some materials besides mohair and raw
‘ silk, yet when the mohair and raw silk of an
‘ equal number of buttons are weighed, the ma-
‘ terials employed in the loom exceed those of
‘ the needle-workers; and the other materials
‘ employed in each button, are not so heavy as
‘ the waste of the raw silk and mohair which the
‘ loom manufacturers are obliged to make. But,
‘ Sir, besides this answer drawn from a plain fact,
‘ that appeared at the bar of your house; give
‘ me leave to say, that this objection against the
‘ loom-manufacture is a very strong reason that
‘ we ought to support it; for, as the intention of
‘ these acts was to encrease the consumption of
‘ our commodities, therefore, whatever best an-
‘ swers that intention, best deserves our encou-
‘ ragement. Now, Sir, it appears that the ma-
‘ terials, besides those of raw silk and mohair
‘ made

‘ made use of by the loom-manufacturers, are the
‘ produce of this kingdom; it appears, that their
‘ using them does not diminish the consumption
‘ of the other commodities; and therefore it un-
‘ deniably follows, that the loom-manufacture is
‘ best calculated for answering the intentions of
‘ the legislature.

‘ Having thus, Sir, I think, obviated the
‘ principal arguments in favour of the bill, I
‘ shall now beg leave to put gentlemen in mind,
‘ that by passing it, we shall do a thing which I
‘ am sure every member of a *British* Parliament
‘ would willingly avoid; we make an encroach-
‘ ment, Sir, upon the private property of our
‘ fellow-subjects. We deprive them of the na-
‘ tural right which every man, in a land of li-
‘ berty, ought to enjoy, of gaining bread in an
‘ honest and lawful way. Nay more, Sir, we
‘ give a total discouragement to any future im-
‘ provement of arts and manufactures. How will
‘ it sound, to after-times, that in a reign remarka-
‘ ble for the encouragement of all the arts, espe-
‘ cially those of commerce, a *British* Parliament,
‘ by one act, prevented all future improvement
‘ of any of these arts? Let us not, Sir, draw upon
‘ us the imputation of so much barbarism, let us
‘ not give our neighbours so just a handle of re-
‘ proach; but let us remember, that not only the
‘ present but future ages are concerned in every
‘ step of this nature we shall make. Had our an-
‘ cestors, Sir, discouraged the improvers of arts
‘ and manufactures, they could have had no title
‘ to the gratitude of their posterity. And, Sir,
‘ give me leave to add that in *England*, the ad-
‘ vancement of the liberal, is but the consequence
‘ of the encouragement given by the legislature
‘ to the improvement of the commercial arts. In
‘ all ages and countries they have gone hand in
‘ hand, they have risen and fallen with one
‘ another,

‘ another, and whatever has affected the latter has
 ‘ always proved fatal to the former. Therefore,
 ‘ Sir, I am against our passing this bill.’

These reasons were thought so good by the Commons, that the question being put, and a division following, the bill was rejected. For the bill 85, against it 111.

The house of Commons having, early in the session as usual, brought in and passed the mutiny bill, and sent it to the house of Lords, that bill came to be read a second time by their Lordships, on *Thursday* the ninth of *March*, and was committed for the *Tuesday* following without any debate; but as soon as it was ordered to be committed, the Lord *Carteret* stood up, and spoke in substance as follows.

‘ My Lords,

‘ When any question happens in this house, which depends upon facts or circumstances, we are not to judge from common reports or surmises: In all such cases we ought to be determined by nothing but parliamentary knowledge; which knowledge must be communicated to us as a house of Parliament, and by some proper authority. The question now before us, is a question of this nature. It is a question which must depend upon facts or circumstances; for, I hope, no man will, as yet, dare to say, that a standing army of 18,000 men, is a part of our constitution; and, that the keeping up of such a number ought always to be agreed to by this house, without our asking for, or being able to assign a reason for so doing. By the established maxims of this kingdom, by what ought to be an established maxim in every free country, a numerous standing army is never to
 ‘ be

Debate in
the house of
Lords upon
the Army.

Lord Carteret's speech
and motion.

‘ be kept up, nor ought this house ever to agree
‘ to the keeping up of such a one, without some
‘ necessity for our being obliged to submit to
‘ such a dangerous expedient; and as that neces-
‘ sity can proceed from nothing but our circum-
‘ stances, either abroad or at home, before we
‘ agree to the keeping up of such an army, an
‘ account of those circumstances ought to be com-
‘ municated to us in a parliamentary way.

‘ The nation, my Lords, may sometimes be
‘ in danger of being attacked by a foreign enemy,
‘ or our government may be in danger of being
‘ overturned by a powerful and seditious faction
‘ at home; and sometimes we may be so unfor-
‘ tunate as to be exposed to both these dangers
‘ at once. When any of these happens to be our
‘ case, we are to give our consent to the keeping
‘ up of a body of regular troops; and, their
‘ number ought always to be in proportion to the
‘ power of that foreign enemy, or domestick fac-
‘ tion, from which we have, at that time, rea-
‘ son to apprehend mischief. But, in all such
‘ cases, we are not to allow our apprehensions to
‘ take their rise from publick *Gazettes* and hack-
‘ ney news papers, or from the private informa-
‘ tions that may be wispered by one Lord to an-
‘ other. We have a right to be fully informed
‘ of the circumstances which the nation may then
‘ happen to be in, and till that information is
‘ laid before us in a proper way, we ought not
‘ to load the people with the expence, or expose
‘ our liberties to the danger of keeping up a nu-
‘ merous standing army.

‘ Upon this occasion, my Lords, I have done
‘ my duty, I have done what every member of
‘ this house ought to do, I have carefully perused
‘ his Majesty’s speech from the throne, at the
‘ beginning of this session; and, upon that per-
‘ usal, I had the pleasure to see, that it did not
‘ contain

‘ contain so much as the least intimation of danger. I believe it is one of the shortest and most general, that ever came from the throne ; and, as I have great confidence in his Majesty’s wisdom, penetration, and foresight, I must from thence conclude, we are at present in such a happy situation, as not to be under the least apprehension of being disturbed, either by foreign or domestick enemies. I have gone farther, my Lords, I have carefully examined our journals for this session, and upon that examination, I had the satisfaction to find, that there is no message, nor any answer from the crown, which can give us the least ground to believe we are now in any danger. As these, my Lords, are the only methods I can think of, by which a parliamentary knowledge of our being in dangerous circumstances can be communicated to us, I must think it inconsistent with the dignity of this house to presume, from any information we may have had from publick newspapers or private whispers, that we are in such circumstances ; and without such a presumption, no member of this house can agree to the keeping up of a standing army of 18,000 men, unless he thinks, that such an army ought to be kept up, even when the nation is in the greatest tranquillity and security ; which is a way of thinking no member of this house, nor any *British* subject, will ever, I hope, fall into ; for if this should ever come to be established as a maxim, a standing army of 18,000 at least would become a part of our constitution.

‘ But now suppose, my Lords, that we were, upon the present question, to determine ourselves from common reports and surmises, or from publick *Gazettes* and hackney news papers, yet even from them, I think, we must conclude, that we can never be in a state of more
‘ absolute

‘ absolute security than we are at present. Let us
‘ examine the present state and seeming inclina-
‘ tions of all the powers of *Europe*, and we must
‘ presume, that the tranquillity, either of this
‘ nation or of *Europe*, is not in the least danger
‘ of being disturbed for some years to come. Our
‘ neighbours the *French*, my Lords, seem of late
‘ to have entirely changed their conduct. Their
‘ ambitious view of being able to give laws to
‘ *Europe*, may still be the same; but, they have
‘ of late endeavoured to aspire to it, by very dif-
‘ ferent methods from what they formerly made
‘ use of. Instead of warlike measures, and vio-
‘ lent and rapid conquests, they are following the
‘ arts of peace: They are easing their people of
‘ taxes, encouraging trade and commerce, setting
‘ up and improving their manufactures, establish-
‘ ing and extending their colonies and plantations,
‘ both in the *East* and *West-Indies*, and cultivating
‘ a spirit of industry and frugality in every part of
‘ their dominions. This is a method more slow,
‘ but, in my opinion, more certain, than that
‘ they formerly pursued. It is a method so cer-
‘ tain, that I am convinced, they will soon arrive
‘ at the end they have in view, unless their neigh-
‘ bours, and particularly we of this nation, take
‘ care to follow the same measures. They are
‘ now so careful not to raise the jealousy of their
‘ neighbours, that in the last war they were en-
‘ gaged in against the Emperor, though they
‘ were every where victorious and successful,
‘ though there seemed to be nothing to obstruct
‘ the progress of their arms, yet of themselves
‘ they set bounds to their ambition, and were sa-
‘ tisfied with adding but one province to their do-
‘ minions, lest by aiming at more, they had
‘ awakened the other powers of *Europe*, who
‘ then seemed to be all asleep; I say asleep, my
‘ Lords, for though that province was but incon-
‘ siderable,

‘ fiderable, when compared with the conquests
‘ they might have made, if none of the other
‘ powers of *Europe* had joined the Emperor a-
‘ gainst them; yet, as the *French* dominions
‘ were before too large, as their power was before
‘ that conquest greater than is consistent with the
‘ balance of power in *Europe*, it was a conquest
‘ they would not have aimed at, if those who
‘ ought to be the guardians of that balance, had
‘ been as watchful as they ought to have been,
‘ and had taken proper measures for preventing
‘ an addition to that power, which, before that
‘ acquisition, was more than a match for any one
‘ of its neighbours upon the continent.

‘ These measures, my Lords, the *French* have
‘ been led into by a minister, who, by his wisdom
‘ and conduct, has united with the dignity and
‘ authority of his character, the affections and
‘ esteem of the people; and what is most extra-
‘ ordinary, he has gained the affections and esteem
‘ of the people, by pursuing measures which were
‘ contrary to their genius and inclinations, and
‘ contrary to those notions of glory and renown,
‘ which had been inculcated into them, during
‘ the late and long reign of *Lewis XIV.* He has
‘ never threatned war, while he was cringingly
‘ suing for peace; nor has he put his country to
‘ the expence of formidable armaments, at a time
‘ when he was resolved to tie up their hands by
‘ peaceable instructions. On the contrary, when
‘ he found himself under a necessity of going to
‘ war, he began the attack, before his enemies
‘ had a suspicion of the danger; and he put an
‘ end to the war, as soon as he could obtain a
‘ sufficient compensation for his own country,
‘ and a proper satisfaction for those who were its
‘ allies. From the whole of his conduct it ap-
‘ pears, that he is not ambitious of making great
‘ conquests, nor desirous of going to war; there-
‘ fore

‘ fore while he continues prime minister, we have
‘ no reason to apprehend an attack or invasion from
‘ *France* ; and as it is not our interest to engage
‘ in war, as we never ought to engage in any war
‘ but through necessity or for self-preservation, I
‘ cannot think we have at present a view of at-
‘ tacking the kingdom of *France*, or any other
‘ kingdom or state in *Europe*.

‘ I know, my Lords, it may be objected, that
‘ as the minister who has now the direction of
‘ publick affairs in *France*, is of a great age, we
‘ can put no trust in that security which depends
‘ upon his life. It may be said, that by the
‘ course of nature, his life, or his capacity for
‘ business, can be of no long continuance ; and
‘ as he may be succeeded by a minister of an am-
‘ bitious, enterprizing spirit, we ought to provide
‘ against the worst, and therefore ought to keep
‘ up such a standing army as may be sufficient for
‘ repelling any attack. This, my Lords, is an objec-
‘ tion which will always be as good as it is at pre-
‘ sent, against our reducing any part of our army.
‘ A young minister may die as well as an old, and
‘ a young minister is more apt to change his mea-
‘ sures, or to engage in ambitious designs, than
‘ an old one can be supposed to be ; therefore, if
‘ this be now a good objection against our making
‘ a reduction, it must always be so ; consequently
‘ a standing army of at least 18,000 men, must
‘ be entailed upon us for ever, and so become a
‘ part of our constitution. But suppose the pre-
‘ sent prime minister of *France* should die, or
‘ should resign his employments, before next ses-
‘ sion of Parliament, he has acquir’d so much
‘ glory, and that kingdom has reaped so great
‘ and so apparent benefits, from the peaceable
‘ measures he has pursued, that his successor must
‘ be not only a man of an ambitious and enter-
‘ prizing genius, but also a man of no great wis-
‘ dom,

dom, if he does not follow the same measures ;
and suppose he should not, suppose him as ambitious, or as great a fool as any minister that ever directed the affairs of that or any other kingdom, it will require some time before he can fix himself in power, and till he has fixed himself; he will not, he dare not attempt to disturb the repose of any of his neighbours ; so that, with respect to *France*, supposing the worst that can happen, we have no reason to apprehend an attack, or any disturbance from that quarter, before next session of Parliament ; and in the next session we may again increase the number of our forces, if the circumstances of the nation then seem to require it.

Our neighbours the *Dutch*, my Lords, can have no inclination to disturb the present happy tranquillity of *Europe* ; and they seem to be so well assured of its not being in danger of being disturbed by any other power, that they have not now such a number of forces in their pay as they ought to keep up for guarding their own frontiers, and for fulfilling the stipulations they have entered into with their neighbours. Then, with regard to the Emperor, he is, we know, already engaged in a war with the *Turks*, and in that war he has, as yet, met with so little success, that we cannot suppose he will attack any of his neighbours on this side, while that war continues ; nor can we suppose he would have engaged in that war, if he had not been fully assured of the pacifick disposition of the court of *France* ; and the event has shewn, that his assurance was not without good foundation ; for the court of *France*, instead of taking advantage of the war the Emperor is engaged in against the *Turks*, are now employing their good offices for putting an end to that war. This shews the harmony that at present subsists be-

‘ tween the houses of *Austria* and *Bourbon*; and
‘ as the contention between these two houses has
‘ been the chief cause of most of the wars that
‘ have lately happened in *Europe*, I see no reason
‘ to apprehend that the present tranquillity can be
‘ disturbed, as long as that harmony subsists.

‘ The two northern powers, my Lords, seem
‘ both at present more intent upon the improve-
‘ ment of their trade and navigation, than upon
‘ disturbing the tranquillity of one another, or of
‘ any of their neighbours; and the *Muscovites*,
‘ notwithstanding their late success against the
‘ *Turks*, have their hands so full upon that side,
‘ that there is not the least danger of their at-
‘ tacking any of their neighbours upon this. Here
‘ likewise we have a fresh instance of the paci-
‘ fick inclinations of the court of *France*; for tho’
‘ their favourite point in *Poland* had been defeated,
‘ and his most Christian Majesty’s own Father-in-
‘ law drove out of that kingdom, by the success-
‘ ful arms of *Russia*, yet the court of *France*
‘ offered their mediation for bringing about a
‘ peace between the *Russians* and *Turks*, and the
‘ *Russians*, with more than *Russian* policy, ac-
‘ cepted of that mediation.

‘ The peace of *Italy*, my Lords, seems to be
‘ insured not only by the present circumstances of
‘ the several princes thereof, but by the guaranty
‘ of the King of *France*; a guaranty which is
‘ sufficient for over-awing the ambitious views of
‘ any prince or potentate in *Italy*, and a guaranty
‘ which his most Christian Majesty will, I believe,
‘ for his own honour, as well as for the interest
‘ of his kingdom, take care to observe more
‘ faithfully than some guaranties have been of
‘ late years observed.

‘ I have now, I think, shewn, my Lords,
‘ that with respect to the tranquillity of this
‘ kingdom in particular, or of *Europe* in general,
‘ there

‘ there is not the least disturbance to be appre-
‘ hended from any prince or potentate in *Europe*,
‘ unless it proceeds from *Spain* or *Portugal*; and
‘ that neither of these kingdoms will attack
‘ the other, I think, we are at present as certain
‘ of, as we can be of any future event whatso-
‘ ever. As *Portugal* is not by itself a match for
‘ *Spain*, there is not the least danger that the
‘ latter will be attacked by the former; and as
‘ *Spain* must have been convinced, by the late
‘ conduct both of *France* and of this nation, that
‘ they will not be allowed to execute any ambi-
‘ tious designs they may have against *Portugal*,
‘ there is reason to presume they have, for some
‘ years at least, laid such designs entirely aside;
‘ therefore, we have no ground to think, that
‘ either of these kingdoms will attack the other;
‘ and this nation surely can never be in dread of
‘ an attack, much less an invasion from *Portugal*;
‘ for tho’ the *Portuguese* should be so mad as to
‘ imagine themselves an equal match for this na-
‘ tion, yet the seasonable assistance we lately sent
‘ them, when they were in danger of being swal-
‘ lowed up by *Spain*, must have laid them under
‘ such obligations, that it cannot be supposed
‘ they will attack us for a slight cause, or in a
‘ short time; and their own safety will always,
‘ in my opinion, prevent their falling out with
‘ us; because they must be sensible, that the mo-
‘ ment they do so, they lose the only safeguard
‘ they can depend on, for preventing their being
‘ conquered, and made a prey of by their invete-
‘ rate enemies the *Spaniards*.

‘ The interest and inclinations of the *Spanish*
‘ court, with respect to its other neighbours, and
‘ with regard to us, remain now, my Lords, only
‘ to be considered. With regard to *France*, what-
‘ ever the interests of the *Spanish* nation may be,
‘ I am sure it cannot, and I am sorry it cannot

‘ be supposed, that the court of *Spain* have at
 ‘ present an inclination to have any misunder-
 ‘ standing with the court of *France*; but suppose
 ‘ they had, and that a war should break out be-
 ‘ tween these two nations, I hope it is not to be
 ‘ presumed, that we would take the part of
 ‘ *France* against *Spain*; and considering that some
 ‘ years ago we refused to be the sole mediator of
 ‘ the differences then subsisting between the courts
 ‘ of *Madrid* and *Vienna*, only for fear of disobl-
 ‘ ging the court of *France*, tho’ we might have
 ‘ thereby had an opportunity of detaching *Spain*
 ‘ entirely from a dependance upon, or a confi-
 ‘ dence in the court of *France*, I think it is to be
 ‘ presumed, that the same persons would still en-
 ‘ tertain the same fears, and would therefore re-
 ‘ fuse to join with *Spain* in a war against *France*,
 ‘ however much the interest of *Europe* in general,
 ‘ however much the interest of this nation in
 ‘ particular might plead for such a conjunction.
 ‘ There is therefore no reason to apprehend, that
 ‘ *Spain* will disturb the present tranquillity by at-
 ‘ tacking *France*, or that we would be engaged
 ‘ in the quarrel, if it should; and as for *Spain*’s
 ‘ attacking the Emperor, or any of the other
 ‘ princes or states, who have dominions in *Italy*,
 ‘ we can have no reason to apprehend any such
 ‘ thing, as long as *France* stands engaged to gua-
 ‘ ranty those dominions, and seems resolved to
 ‘ observe and perform that engagement.

‘ In the last place, my Lords, let us consider
 ‘ the interests and inclinations of the court of
 ‘ *Spain*, with regard to this nation in particular.
 ‘ What the inclinations of the court of *Spain*
 ‘ may be, I shall not pretend to determine, but
 ‘ I am sure, it is against the interest of that na-
 ‘ tion to have any misunderstanding with this;
 ‘ and therefore till I am informed of the con-
 ‘ trary by a proper authority, I must presume,
 ‘ that

‘ that the court of *Spain* have at present no de-
‘ sign against the peace of this kingdom. Their
‘ *Guarda Costa’s* in *America* have, it is true, been
‘ guilty of many piratical practices of late years,
‘ and by such practices have insulted the honour,
‘ as well as injured the trade of this nation; but
‘ I cannot think, that any of those practices were
‘ authorized by the court of *Spain*. We know,
‘ that many of these *Guarda Costa’s* are ships fit-
‘ ted out by private men, who receive commis-
‘ sions from the *Spanish* governors in that part
‘ of the world, to guard their coasts, and to
‘ seize all ships and vessels they find concerned in
‘ illicit trade. The crews of such *Guarda Costa’s*
‘ are usually composed of fellows who serve,
‘ no purchase no pay; and when these fellows
‘ can meet with no lawful prize, necessity com-
‘ pels them to act like free-booters: They seize
‘ the first ship they can make themselves masters
‘ of, and then swear they found her carrying on
‘ an illicit trade upon their coasts. By such fel-
‘ lows many of our merchant-ships have been, I
‘ believe, unjustly seized; but I am convinced,
‘ that upon our application many of these fellows
‘ have been already hung up at the yard’s arm,
‘ and that every one of them will be so served,
‘ as soon as he is detected, and the fact fully
‘ proved. Nay, if it should be found, that any
‘ of the *Spanish* governors in the *West-Indies* have
‘ winked at such practices, or have gone shares
‘ in the spoil, which may be the case, I am con-
‘ vinced they would, upon our application, be
‘ called home by the court of *Spain*, and would
‘ there meet with an exemplary punishment.

‘ This, my Lords, I am fully convinced of,
‘ because, I find, our ministers still keep a corre-
‘ spondence with the court of *Spain*, and are now
‘ carrying on a negotiation with that court, in or-
‘ der to concert proper measures for preventing

‘ such practices in time to come ; for if the court
 ‘ of *Spain* had in the least appeared to have
 ‘ countenanced such practices, or if that court
 ‘ had refused, or unreasonably delayed to in-
 ‘ flict condign punishment upon any one of the
 ‘ offenders, after the crime had been fully pro-
 ‘ ved against him, I am sure, no minister of *Great*
 ‘ *Britain* would have dared to keep a correspon-
 ‘ dence, or to carry on any sort of negotiation,
 ‘ with a court that had offered such an indignity
 ‘ to his King, and such an insult to his country.

‘ Peace, my Lords, is a desirable thing for any
 ‘ nation, especially a trading nation ; but, who-
 ‘ ever thinks that a peace ought to be purchased
 ‘ at the expence of the honour of his country,
 ‘ will, at last, find himself egregiously mistaken.
 ‘ By the custom of all nations, and all ages, when
 ‘ an apparent, and real affront has been put upon
 ‘ one nation by another, the injured nation ought
 ‘ to make a peremptory demand of redress, and
 ‘ if it is not granted upon the very first de-
 ‘ mand, they ought to break off all further cor-
 ‘ respondence, and immediately begin hostilities.
 ‘ If they submit to a negotiation after such a re-
 ‘ fusal, they may, at last, obtain a nominal peace,
 ‘ but it comes attended with contempt ; and a
 ‘ nation that is contemned, can never expect a
 ‘ cessation of hostilities.

‘ For this reason, my Lords, I cannot enter-
 ‘ tain so bad an opinion of those who have, at
 ‘ present, the honour to be concerned in our ad-
 ‘ ministration, as to imagine, that the court of
 ‘ *Spain* have in the least countenanced the pirati-
 ‘ cal practices of some of their subjects in *Ame-*
 ‘ *rica*, or that they have refused to do justice up-
 ‘ on any one of the offenders : But, suppose they
 ‘ should do so before next session of Parliament ;
 ‘ for, as I have said, it is impossible to suppose
 ‘ they have yet done so ; I shall grant, we
 ‘ would

‘ would in such a case, be under an immediate
‘ necessity of declaring war against that nation;
‘ but, in such a war, what can we have to do
‘ with a land army? What occasion can we have
‘ for keeping up an additional number of troops
‘ on account of such a war? Every gentleman
‘ must know, that it would be ridiculous in us,
‘ to attempt to invade *Old Spain*, with such a
‘ land force, as would be sufficient to make any
‘ conquest there; and, tho’ we should make a
‘ reduction of 6000, we could spare a sufficient
‘ number of land forces, for infesting and making
‘ inroads upon their coasts. Can any gentleman
‘ suppose, that *Spain* would attempt to invade
‘ this nation? They know, by experience, the
‘ precariousness of all such attempts; and, the
‘ formidable navy, which this very session of
‘ Parliament has enabled his Majesty to fit out,
‘ must make it ridiculous in them, to think of
‘ any such attempt. The number of seamen,
‘ that are already provided, for the service of the
‘ ensuing year, will enable his Majesty to send
‘ out several squadrons of men of war, every
‘ one of which will be superior to any naval
‘ force the *Spaniards* can send against them.
‘ With these squadrons we may protect our trade
‘ and our own dominions, and at the same time,
‘ so much annoy the coasts of our enemies, that
‘ they will soon be forced to sue for an accom-
‘ modation. It is by means of our navy only,
‘ that we can pretend to force *Spain* to a compli-
‘ ance with our just demands; and, therefore, if
‘ we are in danger of being involved in a war
‘ with that nation, we ought to reduce our army,
‘ that we may with the more ease augment our
‘ navy.

‘ This was the method, my Lords, by which
‘ his late Majesty managed the war he was en-
‘ gaged in against *Spain*. Even after the war

' was in a manner begun, he made a reduction
 ' of his land forces, and he told his Parliament,
 ' he did so, because he thought his fleet suffici-
 ' ent not only to give a check to the ambitious
 ' views of *Spain*, but to compel them to agree to
 ' reasonable terms: The event, accordingly, an-
 ' swered his expectations; for, by means of his
 ' fleet, he soon convinced the *Spanish* court, how
 ' vain it was for them to contend with this na-
 ' tion, or to embark in any projects that were in-
 ' consistent with the interest of *Great Britain*,
 ' or with the engagements we had entered into
 ' with any of our allies. This is an example,
 ' which ought now to be followed; I wish it
 ' had been always followed: If we had made
 ' the same use of our fleet upon several occasions,
 ' since that time, we would never have had any
 ' depredations to complain of; nor should we
 ' now have had the least ground to be afraid of
 ' *Spain*, or of any power in *Europe*, that durst
 ' take her part against us.

' Having now, my Lords, examined the pre-
 ' sent circumstances of the nation with respect to
 ' foreign affairs, I shall next beg leave to exa-
 ' mine our present domestick circumstances, so
 ' far at least as they can be traced from com-
 ' mon reports and publick news papers. From
 ' these I am sure it does not appear that we are
 ' in the least danger of any domestick troubles
 ' or commotions. There may be great discon-
 ' tents in the nation, I am sorry they are so ge-
 ' neral as they appear to be; but, there is no
 ' disaffection, nor any seeming design to overturn
 ' or disturb the government. If there are any
 ' plots or conspiracies in embryo, if the govern-
 ' ment is afraid of any such, something of it
 ' ought to be told, some intimation ought to
 ' be made to us of our danger, and some of the
 ' reasons for such fears ought to be communi-
 ' cated

‘ cated to us in a parliamentary way: When this
‘ is done, I shall be ready to join in any mea-
‘ sures for disappointing such conspiracies, and
‘ for bringing the conspirators to condign pu-
‘ nishment; but, I cannot agree to load and ter-
‘ rify the nation, with such a numerous standing
‘ army, only because a minister has whispered me,
‘ that he thinks our government, or our present
‘ happy establishment, in danger.

‘ I know, my Lords, it may be said, that
‘ there have been lately many mobs and tumults
‘ in several parts of the kingdom, and that there-
‘ fore, the number of regular forces we have at
‘ present, is the least that is necessary for pre-
‘ venting or dispersing such tumults, and for as-
‘ sisting and enabling the civil magistrate to exe-
‘ cute the laws of our country. My Lords, I
‘ hope, I shall never see this nation reduced to
‘ such unfortunate circumstances. A law, which
‘ the civil power is unable to execute, must either
‘ be in itself oppressive, or it must be such a one
‘ as affords a handle for oppression. I hope this
‘ house will always have penetration enough, not
‘ to pass a law which is in itself oppressive, or
‘ at least the goodness to repeal it, as soon as it
‘ appears to be so; and I hope we shall always
‘ have virtue and courage enough to send that
‘ magistrate or that officer to *Tyburn*, who shall
‘ dare to make an oppressive use of any law we
‘ give our consent to. Therefore, if there be
‘ now any laws in being, which cannot be exe-
‘ cuted by the civil power, we ought to enquire
‘ into them, and the use that is made of them,
‘ in order to amend or repeal them; and to con-
‘ trive some other methods or laws, for answer-
‘ ing those ends, for which they were intended.
‘ Surely we are not to make a sacrifice of our
‘ constitution and liberties, by establishing a mili-
‘ tary government, for the support of oppressive
‘ or

‘ or dangerous laws, which, through inadverten-
‘ cy or want of foresight, have been agreed to,
‘ either by ourselves or our ancestors.

‘ But suppose, my Lords, that the mobs and tu-
‘ mults, which have lately happened, and the op-
‘ position that has in some cases been made to the
‘ civil magistrate, have proceeded from nothing of
‘ an oppressive nature in any of our laws, nor from
‘ the oppressive use that has been made of any of
‘ them, which, I hope, is the case; yet experi-
‘ ence has taught us, that regular troops are far
‘ from being proper or effectual instruments, for
‘ preventing such tumults, or for aiding the civil
‘ magistrate in the execution of our laws. The
‘ late atrocious murder committed by the mob at
‘ *Edinburgh*, was perpetrated within a few hundred
‘ yards of a whole regiment of regular troops;
‘ and even here in *Westminster*, nay even within
‘ the verge of the court, we know that great af-
‘ fronts have been offered to the government,
‘ and some murders committed, by mobs within
‘ the view of our regular troops. It is impossible,
‘ my Lords, to make our regular troops proper or
‘ effectual instruments for quelling mobs, or for
‘ enforcing the laws of their country, unless you
‘ lodge the civil as well as military power in the
‘ officers of your army; and such a regulation, I
‘ am sure, no Lord of this house would agree to,
‘ nor would any officer of our army, I hope, de-
‘ sire to see it established.

‘ For this reason, my Lords, we ought to take
‘ all possible care, by prudent regulations and fre-
‘ quent enquiries, that the civil magistrate may
‘ never stand in need of regular troops, for ena-
‘ bling him to quell a mob, or to execute any
‘ law that has been, or shall be enacted. Even
‘ with respect to our taxes, we ought to take care
‘ to have them so moderate, and levied in such
‘ an equal and easy manner, that regular troops

‘ may never be necessary for enforcing the pay-
‘ ment of them, or for apprehending those that
‘ are guilty of defrauding the publick revenue;
‘ for, it is a bad omen for the liberties of a peo-
‘ ple, when they are loaded with taxes, which
‘ they think so heavy, or so ill applied, that the
‘ collectors must always come escorted by parties
‘ of horse, foot, or dragoons. Such a people
‘ may be kept in obedience, and may be com-
‘ pelled to pay as long as they have wherewithal
‘ to pay, by a numerous standing army; but,
‘ from the moment that such measures become
‘ necessary, the people must be look’d on as
‘ slaves, and their armies of soldiers and tax-ga-
‘ therers will look upon themselves as their mas-
‘ ters. This, my Lords, is far from being the case
‘ of this nation at present. There may be dis-
‘ contents amongst us, there may be some per-
‘ sons who grumble unjustly at those taxes, that
‘ have been laid upon them by a free and inde-
‘ pendent Parliament; but, I hope, no man will
‘ pretend, that those discontents are, as yet, so
‘ general or so violent, or that those grumblers
‘ are so numerous, that an army of 18,000 men
‘ is the least that is necessary, for keeping our
‘ people in obedience, and for compelling the
‘ payment of our taxes; therefore, the circum-
‘ stances the nation is in at present, with respect
‘ to our domestick affairs, can afford no argument
‘ against our making a reduction of our army.

‘ On the other hand, my Lords, the arguments
‘ in favour of a reduction are many, and all of
‘ them, in my opinion, unanswerable. I shall
‘ mention only two, one of which proceeds from
‘ our present circumstances, with respect to fo-
‘ reign affairs, and the other from our present
‘ circumstances, with regard to domestick affairs.
‘ Our neighbours upon the continent are all now,
‘ and have been for several years, cultivating the
‘ arts

arts of peace. They are all setting up manufactures of their own, and encouraging trade and commerce among their subjects, with great industry and application. This must of course diminish our trade, or oblige our manufacturers and tradesmen, to sell the produce of their labour at a cheaper rate than they formerly used to do; for, as the extensiveness of our trade consists in furnishing our neighbours with those manufactures, which they cannot work up among themselves, if they begin to set up manufactures of the same kind, we can no longer propose to furnish them with such manufactures, unless we can make them better, and sell them cheaper, than our neighbours can have them at home. For this reason, we have now much greater reason to be afraid of the progress of trade among our neighbours, than we have to be afraid of the progress of any of their arms. The progress of their arms we may give a check to, as soon as it becomes formidable, by violent methods, which are quick and easy, because the execution depends upon our government only; but, we cannot pretend to give a check to the progress of their trade, by violent methods, as long as they do nothing that is inconsistent with the treaties they have made with us. We can give a check to their trade by no other method, but that of enabling our merchants to sell cheaper, than our neighbours are able to sell commodities of the same kind and goodness: For this purpose, we must enable our manufacturers and tradesmen to sell the produce of their labour at the cheapest rate; and, the only way to enable our manufacturers and tradesmen, to sell the produce of their labour at a cheaper rate, is, to abolish all those taxes which enhance the price of the necessaries or conveniencies of life, or of any of those materials

rials that are necessary, for working up our manufactures. This, my Lords, we have too long neglected, and to this neglect, we may chiefly ascribe the present attempts of all our neighbours, and the flourishing state of the manufactures and commerce of that neighbour, who is our most dangerous rival. Every man who is conversant in trade knows, what great encroachments *France* has made, since the peace of *Utrecht*, upon every branch of the trade of this kingdom. As we were then in possession of the principal trade and manufactures of *Europe*, if we had then begun to diminish our taxes, and to take proper measures for the preservation and improvement of our trade, they could not have made such encroachments upon us, and consequently they could not have been in their present flourishing state, nor would we have been in the distressed condition we are in at present.

The only method, my Lords, we can take, for diminishing our taxes, is to be frugal in our publick expences; and, considering the powerful navy we keep in continual repair, and the great number of seamen with which our trade, while it lasts, will always be able to furnish us, there is no article of publick expence, in which we can be frugal with more safety and convenience, than in that of our standing army; therefore, we ought to neglect no opportunity for reducing our army, nor ought we ever to keep up a greater number than is absolutely necessary, according to the circumstances the nation happens to be in at the time. But so far have we been from being frugal and saving upon this article, or, indeed, any other article of publick expence, that we have for many years kept up a more numerous standing army than was, in my opinion, necessary; and upon most of the
other

‘ other articles we are every year increasfing, in-
‘ ftead of diminifhing. Our civil lift revenue
‘ has been increafed from 4 or 500,000*l.* to, I
‘ may fay, near a million a year. The expence
‘ of our army at home has been of late years in-
‘ creafed: The expence of our land forces in the
‘ Plantations, *Minorca*, and *Gibraltar*, has been
‘ increafing for feveral years, and is this year
‘ higher than it was the laft: The expence of
‘ *Chelfea* Hofpital is every year increafing; and as
‘ we are almoft every year creating fome new
‘ poft, or adding fome new officer to the manage-
‘ ment and collection of our publick revenue,
‘ this, I believe, is a hidden and a dangerous fort
‘ of expence, which has been vastly increafed of
‘ late years, and is every year increafing. Many
‘ fmalls, my Lords, make a great, as we may fee
‘ by comparing our prefent annual revenue with
‘ what it was forty or fifty years ago: Before the
‘ Revolution, the whole of the publick expence,
‘ which the people of this nation were annually
‘ loaded with, was but about two millions: Now,
‘ what we call the current expence, which the
‘ Parliament provides for every year, amounts to
‘ above two millions, befides the civil lift, the
‘ intereft growing due every year to our publick
‘ creditors, and the finking fund, which are pro-
‘ vided for by eftablifhed, perpetual revenues;
‘ and as the civil lift revenue may be computed
‘ at near one million, the intereft growing due
‘ upon our publick funds at near two millions,
‘ and the finking fund, at above one million
‘ yearly, we muft reckon that the people of this
‘ nation are now, even in time of peace, loaded
‘ with a publick expence of fix millions, inftead
‘ of the two millions, which was the higheft fum
‘ they were ever loaded with in time of peace,
‘ before the late happy Revolution.

‘ This

‘ This leads me, my Lords, to the other ar-
‘ gument in favour of a reduction of our army,
‘ which, I have said proceeds from the present
‘ state of our domestick affairs. If we consider the
‘ many and the heavy taxes our people are now
‘ obliged to pay: If we consider the great number
‘ of years they have been loaded with these taxes:
‘ If we consider the frequent hopes that have been
‘ given them, of seeing some of these taxes abolish-
‘ ed, the many disappointments they have met
‘ with, and the despair they are now reduced to,
‘ of ever seeing themselves freed from any of
‘ these heavy taxes; we cannot wonder at the
‘ general discontent which now prevails, even
‘ though no late measure, nor any late misfor-
‘ tune, had contributed to add to that discontent.
‘ Our people, my Lords, must be relieved from
‘ some of the heavy taxes they now groan under:
‘ His Majesty, in his first speech from the throne,
‘ was so gracious as to declare, that this was what
‘ he ardently wished. This revived the hopes of
‘ our people; but they have been so long disap-
‘ pointed, that they now begin to lose patience.
‘ A reduction of our army will enable us to an-
‘ swer the people’s expectations, or at least it
‘ will revive their hopes. This will give imme-
‘ diate satisfaction, and will remove that general
‘ discontent which now prevails. It will revive
‘ the spirit and the industry of our people, and
‘ may recover our trade from the languishing
‘ condition in which it is at present. But God
‘ only knows the effects which a contrary mea-
‘ sure may produce: No man can tell what the
‘ people may be drove to by resentment and de-
‘ spair; therefore, every man who wishes well to
‘ our happy constitution, or to the illustrious Fa-
‘ mily now upon our throne, must be for a mea-
‘ sure that so apparently tends towards reconci-
‘ ling

‘ ling to his Majesty the hearts and affections of
‘ his people.

‘ I hope, I need not mention, my Lords, the
‘ many other disadvantages that attend keeping
‘ up a numerous standing army in a free and
‘ trading country; every one of which affords
‘ an unanswerable argument for making a reduc-
‘ tion. The keeping up of a standing, merce-
‘ nary army in a free country, necessarily destroys
‘ the martial spirit and discipline of the rest of
‘ the people; and all histories shew, that a cow-
‘ ardly people must soon become slaves to a fo-
‘ reign or a domestick army. The keeping up of
‘ such an army, in a trading country, encourages
‘ and promotes a spirit of idleness, lewdness, de-
‘ bauchery, luxury, and extravagance among all
‘ ranks and degrees of men; and every one
‘ knows that the trade of a country, especially
‘ where it has many rivals, can be supported by
‘ nothing but by the industry, virtue, sobriety,
‘ and frugality of the people. The quartering of
‘ soldiers, even in this country, is a terrible
‘ grievance, and a heavy load upon many private
‘ men, and is of most dangerous consequence to
‘ the freedom of our elections, because it is a rod
‘ in the hands of our ministers, which they may
‘ make use of for correcting any corporation or
‘ county, that shall chuse a member whose face is
‘ not agreeable to the court. The providing of
‘ a daily support for so many hail, lusty fellows,
‘ most of whom have been bred up to some labo-
‘ rious trade or employment, greatly diminishes
‘ our profits by trade, and consequently our na-
‘ tional revenue, which, every one knows, de-
‘ pends upon the labour and industry of our poor.
‘ These are disadvantages which are universally
‘ acknowledged; and therefore, we ought never
‘ to submit to the keeping up of a standing, mer-
‘ cenary army, but in cases of the most urgent
‘ necessity;

‘ necessity ; nor ought we at any time to keep up
‘ a more numerous mercenary army, than the
‘ present necessity evidently requires.

‘ I shall conclude, my Lords, with observing,
‘ that when a Parliament is called upon any extra-
‘ ordinary business, or when any affair of an ex-
‘ traordinary nature is to be laid before them, it
‘ has always been the custom for our King, to
‘ take notice of it, or to give some intimation of
‘ it, in his speech from the throne, at the open-
‘ ing of the session. This is a custom immemo-
‘ rial, and a valuable custom, because it prevents
‘ surprize. His Majesty, in his speech from the
‘ throne, at the opening of this session, was so
‘ far from intimating to us, that any affair of
‘ an extraordinary nature was to be laid before us,
‘ or that any extraordinary demand was to be
‘ made upon us, that he expressly told us, he call-
‘ ed us together for the necessary dispatch of the
‘ publick business. From hence I had the pleasure
‘ to conclude, that nothing was to come before us,
‘ but the usual and ordinary business, that must
‘ necessarily be dispatched by every session of Par-
‘ liament ; and will any man pretend that the
‘ keeping up and providing for an army of 18,000
‘ men, is any part of that publick business, which
‘ must necessarily be dispatched by every future
‘ session of Parliament in *Great Britain* ? My
‘ Lords, if there were no other reason for making
‘ a reduction, this alone would make me sanguine
‘ in its favour ; lest it should from our conduct
‘ in this session be presumed, that the keeping
‘ up and providing for such an army is an affair of
‘ course, an affair which every subsequent session
‘ ought to agree to, without the least intimation,
‘ or the least reason for shewing, that it is neces-
‘ sary for them to do so. I must therefore con-
‘ clude with moving your Lordships, that it may
‘ be an instruction to the committee, That the

‘ number of effective men for guards and garisons
 ‘ in *Great Britain* and the islands of *Guernsey* and
 ‘ *Jersey*, to be kept up for next year, shall not
 ‘ exceed 12,000.’

The next speaker in this debate was his Grace the Duke of *Newcastle*, who spoke to this effect.

‘ My Lords,

The Duke
 of *New-*
castle's
 speech.

‘ I have so great an opinion of the noble Lord
 ‘ who spoke last, that I am always extremely for-
 ‘ ry when I differ from him upon any question
 ‘ that happens to come before us. In such cases
 ‘ it is even with difficulty I yield to my own opi-
 ‘ nion, and with great diffidence I presume to
 ‘ give my reasons. As that noble Lord always
 ‘ expresses himself in the most forcible manner,
 ‘ as he always places every argument he makes
 ‘ use of in the strongest light, perhaps what I am
 ‘ to say upon the present subject, may, at first
 ‘ view, seem to deserve but little regard. If this
 ‘ happens to be the case, I hope you will not im-
 ‘ pute it to the weakness of the argument, but to
 ‘ the incapacity of him that makes use of it; for
 ‘ however coldly or obscurely I may express my-
 ‘ self, I am persuaded, that when gentlemen con-
 ‘ sider seriously the argument itself, without re-
 ‘ gard to the dress it has been put in, they will
 ‘ have reason to think, that I am swayed in my
 ‘ opinion by nothing but a sincere, and, I hope,
 ‘ a just regard for the honour of my King, and
 ‘ the safety of my native country.

‘ I shall agree with the noble Lord, that in all
 ‘ cases which depend upon facts or circumstances,
 ‘ every Lord, who has the honour to be
 ‘ a member of this house, is to judge from his
 ‘ own knowledge; but, my Lords, I cannot
 ‘ agree with him in this, that in all such cases,
 ‘ we

‘ we are to determine ourselves by nothing but
‘ that knowledge, which has been communicated
‘ to us as a house of Parliament, and by a proper
‘ authority. In the case now before us, the nation
‘ may be in danger, yea, it may be in imminent
‘ danger; some treasonable plot for an insurrec-
‘ tion may be in embryo, some dangerous design
‘ for an invasion may be upon the anvil, our go-
‘ vernment may even have had some dark hints
‘ of the danger; and yet it may not be proper
‘ for the crown to communicate its fears, or the
‘ hints that have been given, in a publick man-
‘ ner, to Parliament. On the contrary, I believe
‘ it is better, generally speaking, to provide, against
‘ the designs of our enemies, without allarming
‘ the people with an account of the danger they
‘ are in, or apprizing our enemies that we are ac-
‘ quainted with their machinations. In all cases,
‘ therefore, that depend upon facts or circumstan-
‘ ces, we are to consider, whether those facts or
‘ circumstances are of such a nature, that the
‘ crown may safely communicate them in a pub-
‘ lick manner to Parliament; and, if they be,
‘ such as cannot, in all probability, be safely com-
‘ municated, we must determine ourselves by
‘ common reports and surmises, and according to
‘ the credit which we think those reports and sur-
‘ mises deserve. Even the whispers of a minister
‘ may be of weight in such a question, and must
‘ be of weight in proportion to the opinion the
‘ listener has formed of the whisperer.

‘ The noble Lord, my Lords, has with great
‘ judgment examined the present circumstances
‘ of *Europe*, and of this nation; and has en-
‘ deavoured to shew, I wish I could say, has
‘ actually shewn, that we are in no danger
‘ from our circumstances, either abroad or at
‘ home: But, before I answer particularly what
‘ he has said upon either of these heads,

‘ I must observe, that he has not attempted
‘ to give us one reason, why we should think the
‘ tranquillity of *Europe*, or of this nation, in
‘ greater security this session, than we thought
‘ it was last session ; and yet, I think, it is abso-
‘ lutely necessary, to give some very strong rea-
‘ sons of this kind, otherwise, every member,
‘ who was last session for the number of regular
‘ forces then proposed to be kept up, must be for
‘ the same number this session. I very well re-
‘ member, I am sure several Lords now present
‘ may remember, that the same number, now
‘ proposed, was last year agreed to without oppo-
‘ sition, at least without any debate ; and, there-
‘ fore, I am surprized to hear any Lord who
‘ was then present, now stand up to oppose the
‘ keeping up of such a number for this ensuing
‘ year, without shewing some reason, for believing
‘ that our tranquillity, both at home and abroad,
‘ is now fixed upon a more solid and lasting foun-
‘ dation than it was last session of Parliament.

‘ I must confess, my Lords, it gave me some
‘ pleasure, to hear from one who is so good a
‘ judge, that we are not, at present, in the least
‘ danger of having our tranquillity disturbed ei-
‘ ther abroad or at home. Whoever thinks so,
‘ must highly applaud the prudent measures his
‘ Majesty has taken for restoring and establishing
‘ the tranquillity of *Europe*, and for preserving
‘ the tranquillity of these kingdoms. But, al-
‘ though I have as good an opinion of the mea-
‘ sures his Majesty has all along pursued, though
‘ I am convinced he has done every thing for at-
‘ taining so good an end, that human wisdom
‘ could direct, yet, I have the misfortune to think
‘ our security is far from being certain and infalli-
‘ ble. There are so many changes may happen
‘ at the several courts of *Europe*, that nothing
‘ but omniscience can fore-see them ; there are so
‘ many

‘ many schemes may be formed, for disturbing
‘ the present tranquillity, that nothing but an
‘ omnipotent power can, with authority, say,
‘ none of them shall take effect. As it is against
‘ the interest of this nation, to make any con-
‘ quests upon the continent of *Europe*, as it is a-
‘ gainst our interest, to allow any of the Princes
‘ of *Europe* to subdue any one of his neighbours,
‘ it is therefore our business, to preserve the peace
‘ of *Europe*, and to set bounds to the ambitious
‘ views of the several Princes thereof. This, we
‘ have of late years effectually done, by keeping
‘ our navy always in good repair, and by keep-
‘ ing up a land army sufficient for protecting our
‘ own dominions, and fulfilling our engagements
‘ with our allies. It is to this, that the present
‘ tranquillity is chiefly to be ascribed; but, if we
‘ remove the cause, the effect must cease: If we
‘ should reduce our army, we would be no longer
‘ in condition to give an immediate check to the
‘ ambitious views of any Prince in *Europe*, which
‘ might induce some one or other of them, to
‘ give a loose to his ambition, in hopes of being
‘ able to conquer some neighbouring territory,
‘ before we could send it a proper relief.

‘ In this light, my Lords, we ought to consider
‘ the several Princes of *Europe*, and if we consider
‘ them in this light, we may find reason to sus-
‘ pect, that however pacifick their inclinations
‘ may at present appear, they would not long
‘ continue so, if we should put it out of our pow-
‘ er to give an immediate check to their ambi-
‘ tious designs. The court of *France* seem, ’tis
‘ true, at present, to have nothing but peaceable
‘ views: I hope, they have really none other;
‘ but, this is what no member of this house can
‘ answer for. There are some territories in their
‘ neighbourhood, and not far distant from this
‘ island, which it would certainly be very much

‘ their interest to annex to their crown: We have
‘ reason therefore to suspect, that they will take
‘ hold of the first favourable opportunity for do-
‘ ing so; and now, that the Emperor is engaged
‘ in a heavy war against the *Turks*, is there any
‘ thing could furnish them with a more favoura-
‘ ble opportunity, than that of our putting it out
‘ of our power, to send an immediate assistance
‘ to the Emperor? The behaviour of the court
‘ of *France* for many years, their behaviour at
‘ the beginning of the last war, may convince us,
‘ that we ought not to put great confidence in
‘ the present serene aspect of affairs at that court.
‘ Nay, the noble Lord himself has furnished us
‘ with an unanswerable argument, for not allow-
‘ ing the present seeming inclinations of the court
‘ of *France*, to have an influence upon any of our
‘ measures: In giving the character of the prime
‘ minister at that court, he told us, that when
‘ that minister found himself under a necessity of
‘ going to war, he began the attack, before his
‘ enemies had a suspicion of the danger. Are
‘ we not from thence to suppose, that he would
‘ behave in the same manner, if we, by a reduc-
‘ tion of our army, should furnish him with a
‘ favourable opportunity, for making a very con-
‘ siderable addition to his master’s dominions?

‘ The best way, my Lords, to prevent an attack
‘ is, to be always in a condition to repel it. The
‘ court of *France* seem, at present, to have no
‘ inclination to attack us, or any of our allies;
‘ but, if we should put it out of our power to
‘ repel their attack, it might produce an altera-
‘ tion in their inclinations: They might, they
‘ probably would, form a design against some of
‘ our allies; and as they must expect, that we
‘ would, as soon as possible, fly to the assistance
‘ of our allies, they would probably begin with
‘ making an invasion upon this kingdom, in or-
‘ der

‘ der to kindle up a civil war amongst us, which
‘ would of course prevent, for some time, our
‘ being able to give any assistance to our allies.

‘ I am glad, my Lords, to find the noble Lord
‘ has now so good an opinion of that minister,
‘ who presides in the councils of *France*. I always
‘ thought him a wise, an upright, and peaceable
‘ minister. But it is not many years since, I have
‘ heard a very different character given of him
‘ in this house, I have heard him, even in this
‘ house, represented as a cunning, dangerous and
‘ designing minister, and if I am not mistaken,
‘ that noble Lord himself, then joined in that
‘ opinion. This, I am no way surprized at; for
‘ all ministers are liable to have their characters,
‘ and their measures misrepresented: At the same
‘ time, when that minister was here represented
‘ as a dangerous, designing minister, he was in
‘ *France* accused, especially, by the military gen-
‘ tlemen, of having sacrificed the interest and the
‘ glory of *France* to his own ease and security;
‘ but, he has had the good fortune to out-live,
‘ as well as overcome, all the obloquies, which
‘ malice and envy have been able to throw upon
‘ his conduct. As that minister has great wis-
‘ dom, he must have peaceable inclinations, both
‘ which became manifest, by his putting an end
‘ to the last war, when he seemed able to push it
‘ with advantage; for, we all know, that to the
‘ love of peace he sacrificed, not only the affair
‘ which *France* had at first principally in view,
‘ but he likewise sacrificed some of the views of
‘ each of his allies; and, if we consider it right,
‘ the acquisition he made to the *French* dominions
‘ was no very great acquisition: He acquired on-
‘ ly a right to that province, which the *French*
‘ have by violence possessed for many years past;
‘ so that, though he has added to their rights,
‘ he cannot be said to have added to the posses-
‘ sions,

‘ sions, and consequently, not to the power, of
‘ the kingdom of *France*.

‘ But, my Lords, I must observe that, whatever
‘ sacrifices he then made, whatever bounds he set
‘ to the ambition of *France*, those sacrifices, and
‘ that moderation, must be imputed rather to his
‘ wisdom than his love of peace. He knew the
‘ preparations we had made, he knew the mea-
‘ sures his Majesty was taking, for putting a stop
‘ to the arms of *France* and its allies, in case they
‘ had offered to push their conquests, farther than
‘ was consistent with the preservation of the ba-
‘ lance of power in *Europe*. He well remember-
‘ ed the danger and distress that were brought
‘ upon *France*, by the alliance which the ambi-
‘ tion of *Lewis XIV.* had occasioned to be form-
‘ ed against him, and therefore, by his modera-
‘ tion, he wisely prevented its being necessary to
‘ form such another alliance. This was apparent-
‘ ly the true cause of his moderation at that time;
‘ and this cause will subsist, and will produce the
‘ same effect, as long as we follow the same mea-
‘ sures. But if we, by a reduction of our army,
‘ should put it out of our power to follow such
‘ measures, that very wisdom which then prevail-
‘ ed with him to use moderation, would, in such
‘ a case, prevail with him to lay hold of the op-
‘ portunity with which our folly had furnished
‘ him, for adding to the dominions and power of
‘ his native country. Nay, suppose him as great
‘ a lover of peace, and as little swayed by ambi-
‘ tion, as the noble Lord has represented, and so
‘ honest and upright as not to take advantage of
‘ the most favourable opportunity for doing in-
‘ justice, yet if we should furnish him with such
‘ an opportunity, it would hardly be possible for
‘ him to withstand the prevailing spirit of his
‘ country; and if, by the great authority he has
‘ acquired, he should be able to withstand it, our
‘ security

‘ security would depend entirely upon his life;
‘ for we cannot suppose, a new minister could,
‘ or would, withstand it: On the contrary, he
‘ would, in my opinion, most probably comply
‘ with it, in order to establish himself in power,
‘ by gaining popularity, and by adding to the
‘ glory and dominions of his country.

‘ From hence, my Lords, I think it must ap-
‘ pear, that if the tranquillity of *Europe*, or the
‘ tranquillity of this nation, be in any security at
‘ present, that security proceeds from, and must
‘ depend upon, our keeping up the same number
‘ of forces we have now on foot. If we do this,
‘ I believe we are in no danger of any present
‘ disturbance; but if we do otherwise, if by a
‘ reduction we render ourselves unable to assist
‘ our allies, according to the engagements we
‘ have entered into with them, it may produce
‘ such a change in the face of affairs abroad, as
‘ may give us reason to repent heartily of what
‘ we have done. This would afford a just and a
‘ real cause of complaint. The enemies of our
‘ government would then have no occasion to in-
‘ vent lies and calumnies for misrepresenting and
‘ defaming our administration. They might then
‘ justly accuse them of having betrayed our allies,
‘ and sacrificed our own security, by an ill-timed
‘ and imprudent piece of frugality; and I make
‘ no doubt, but they would make as much use of
‘ this handle as possible, for raising discontents in
‘ the nation, and for alienating the minds of the
‘ people from his Majesty and his government.

‘ Whatever measures the *Dutch* may follow,
‘ or whatever opinion they may have of the sin-
‘ cerity of our neighbours, can be no rule for us,
‘ my Lords. If we should make a reduction, and
‘ that reduction should be followed by an attack
‘ upon us, or some of our allies, it would be a
‘ poor excuse for us to say, we trusted to the sin-
‘ cerity

cerity of our neighbours, because we found the
Dutch did so. However, I must take notice,
that the *Dutch* have of late made no reduction,
and as they are more in debt in proportion than
we are, I must be of opinion, that if they
thought themselves so very secure, they would
have made a reduction before this time. As
for the Emperor, we cannot say it was the con-
fidence he put in the pacifick disposition of the
court of *France*, that made him engage in the
present war against the *Turks*; for by his trea-
ty with *Muscovy* he was obliged to engage in
that war, and that treaty was made when he
could put no confidence in the pacifick disposi-
tion of the court of *France*; at least if he did,
he has since found himself mistaken; for since
the making of that treaty he was attacked, and
has been dispossessed of some part of his domi-
nions, by *France* and her allies.

'Tis true, my Lords, while the Emperor
continues engaged in the present war against
the *Turks*, there is no danger of his attacking
any of his neighbours on this side; but there
is nothing like an equal security, that during
the continuance of that war, he will not be at-
tacked by some of the powers on this side,
especially if we should disable ourselves from
giving him any assistance. If he meets with
good success in his war with the *Turks*, it may
excite the jealousy of some of his neighbours
on this side; and if he meets with bad success,
it may revive their hopes of being able to
make some conquests they have long aimed
at; so that in either case, there is, I think, a
greater probability that he will, than that he
will not, be attacked on this side; and if he
should, we must engage in his favour, in order
to preserve ourselves by preserving the balance
of power in *Europe*. The *French* have, indeed,
offered

‘ offered their mediation for putting an end to
‘ that war, and their mediation has been ac-
‘ cepted by the Emperor, nay, it has been ac-
‘ cepted even by the *Muscovites*, notwithstanding
‘ the animosity which then seemed to subsist be-
‘ tween the two nations; but this mediation has
‘ as yet produced no effect, and when it does, it
‘ is then time enough to conclude from thence,
‘ that there is a thorough harmony subsisting be-
‘ tween the courts of *France* and *Vienna*.

‘ With respect to *Muscovy*, I shall grant, there
‘ is no likelihood of their attacking any of their
‘ neighbours in *Europe*, while they are engaged
‘ in a war with the *Turks*; but that war may
‘ soon come to an end, and if they end it suc-
‘ cessfully, it may inspire them with thoughts of
‘ extending their dominions on this side; for we
‘ may remember, it is not a great many years
‘ since we were obliged to send a fleet to protect
‘ *Sweden* against them, and it would be our in-
‘ terest to send land forces as well as a fleet, ra-
‘ ther than to see that kingdom conquered by
‘ *Muscovy*. Then, with regard to the two nor-
‘ thern powers, I shall agree with the noble Lord,
‘ that they seem more intent upon improving
‘ their commerce by the arts of peace, than up-
‘ on extending their dominions by the art of
‘ war; but this spirit may soon take a different
‘ turn; and I must observe, that not much above
‘ twenty years ago, we were threatned with an
‘ invasion from *Sweden*: If the warlike and re-
‘ solute Prince who was then upon their throne,
‘ had landed in any part of this island, with a
‘ body of veteran troops under his command,
‘ tho’ his attempt might not have had the success
‘ he expected, yet it would have put this na-
‘ tion to a much greater charge than it can be
‘ put to, by keeping up an additional number of
‘ 5 or 6000 regular forces for one year, or even
‘ for

‘ for twenty years. And with regard to *Italy*,
‘ my Lords, tho’ the peace of that country is
‘ now secured by the guaranty of the crown of
‘ *France*, yet that security is, I am afraid, upon
‘ an uncertain and precarious foundation; for if
‘ the present chief minister of *France* should die
‘ or resign, the new ministry in that kingdom
‘ might fall in with the views of *Spain*, and in
‘ that case, I believe, that instead of guarantying
‘ the Emperor’s dominions in *Italy*, they would
‘ join with *Spain* in endeavouring to drive him
‘ intirely out of that country.

‘ I come now, my Lords, to consider the cir-
‘ cumstances of this nation, with regard to *Spain*
‘ and *Portugal*. As to the latter, I believe, we
‘ have not the least occasion to fear an attack
‘ from thence, or that we shall be drove into a
‘ war, for preventing any of their ambitious de-
‘ signs; but, I cannot say so much of the for-
‘ mer. On the contrary, I think, the peace be-
‘ tween them and us is, at present, in a ticklish
‘ sort of state; and, I do not know, how soon
‘ a war may be kindled up in *Europe*, by their
‘ ambitious projects against *Portugal* or *Italy*.
‘ It is but very lately since we were obliged to
‘ send a squadron to the *Tagos*, for preventing
‘ the execution of their projects against *Portugal*;
‘ and if that dispute had come to an open
‘ breach, ’tis more than probable, we should have
‘ been obliged to send land forces thither, as well
‘ as a fleet of men of war. Upon this last oc-
‘ casion, ’tis true, our fleet put an end to their
‘ ambitious project; but we are far from being
‘ certain, that *Spain* will always put a stop to
‘ her designs against *Portugal*, upon the first ap-
‘ pearance of our fleet; for as *Portugal* lies open
‘ to them by land, they may not only attack but
‘ conquer that kingdom, in spite of all we could
‘ do by means of our fleet only. Therefore, if
‘ we

‘ we have a mind to preserve *Portugal* against the
‘ attempts of *Spain*, and surely it is our interest
‘ to do so, we must always keep ourselves in a
‘ condition to send a body of land forces, as well
‘ as a squadron of men of war, to protect that
‘ kingdom, in case of any sudden attack from
‘ *Spain*.

‘ As for the interests or inclinations of the
‘ court of *Spain* with regard to this nation in
‘ particular, I shall readily agree with the noble
‘ Lord, that it is against the interest of the *Spa-*
‘ *nish* nation to have any misunderstanding with
‘ this; but, my Lords, from the late behaviour
‘ of the *Spaniards* towards the subjects of this
‘ nation, we must presume that they are either of
‘ a different opinion, or that they have very little
‘ regard to the interest of their native country;
‘ for it is certain, that the commanders of their
‘ *Guarda Costa's* in the *West-Indies*, and even
‘ some of their governors, have done what they
‘ could, not only to create a misunderstanding,
‘ but to kindle up a war between the two na-
‘ tions; and if some of our own subjects, who
‘ have made themselves a sort of *boutefeus* upon
‘ that occasion, had got their aim, there would
‘ have been now no attempt to reduce our army;
‘ for we should have been at this time involved
‘ in a bloody war with that nation, very much to
‘ the disadvantage of both, and greatly to the sa-
‘ tisfaction of the enemies of both.

‘ The depredations lately committed by the
‘ *Spanish Guarda Costa's*, and, I'm afraid, too
‘ much countenanced by some of their governors,
‘ in *America*, I shall join with the noble Lord,
‘ my Lords, in calling piratical practices, because
‘ I believe none of them were authorized, or any
‘ way countenanced by the court of *Spain*; nor
‘ has that court, I believe, as yet refused to or-
‘ der satisfaction to be made, and the offenders
‘ punished,

' punished, in any case where the fact could be
 ' fully proved to be piratical or unlawful, and
 ' the offenders discovered. But as the resolu-
 ' tions of courts are not always governed by jus-
 ' tice, prudence or reason, we cannot answer for
 ' what they may do. The practices of some of
 ' these *Guarda Costa's*, and perhaps of some of
 ' these governors, have been such, that we must
 ' insist upon satisfaction, and if it is refused by
 ' the court of *Spain*, we must seek for that jus-
 ' tice and reparation in a hostile manner, which
 ' we find we cannot obtain in a peaceable. These
 ' are the true circumstances of this nation at pre-
 ' sent with regard to *Spain*; and in such circum-
 ' stances, I must think it would be imprudent
 ' in us to do that which must necessarily diminish
 ' the weight of our peaceable, and at least retard
 ' the effect of our warlike endeavours for obtain-
 ' ing that satisfaction which we must insist on;
 ' for with respect to our negotiations, it is certain,
 ' that *Spain* will not be so ready to comply with
 ' our demands in a peaceable way, when they
 ' know we cannot put above 4 or 5000 land
 ' forces on board any fleet we may send to infest
 ' their coasts, as when they know we can imme-
 ' diately put 8 or 10,000 land forces on board
 ' such a fleet; and if we should be obliged to de-
 ' clare war against that kingdom, I am sure 4 or
 ' 5000 regular troops, landed on any part of
 ' their coasts, could not stay so long, nor do
 ' them so much mischief, as 8 or 10,000 such
 ' troops could do.

' Nay, my Lords, if we should agree to the
 ' reduction proposed, I do not think we could
 ' spare to send one regiment, either to infest the
 ' coasts of *Spain*, or to guard our own Plantations
 ' in *America*; for however contemptible an opi-
 ' nion some gentlemen may express of the power
 ' of *Spain*, 'tis certain they can send out at any
 ' time

‘ time 5 or 6000 good troops, to make an inva-
‘ sion upon us. These troops may be embarked
‘ so privately, and may sail so suddenly, that
‘ they may land before we have heard of their
‘ embarkation; and if 5 or 6000 good troops,
‘ with the Pretender, or any of his chief adhe-
‘ rents at their head, should be safely landed, in
‘ any part of *Britain* or *Ireland*, they would in-
‘ volve us in a civil war, they might even endan-
‘ ger our present happy establishment, unless we
‘ could, in a few days, assemble such a body of
‘ regular troops, near the place of their landing,
‘ as would be sufficient to attack and defeat them,
‘ before they could have an opportunity of being
‘ joined by any considerable number of the disaf-
‘ fected part of our own people. This, my
‘ Lords, is no imaginary apprehension: The
‘ troops that were designed against us from *Ca-*
‘ *diz* in the year 1718, would have been landed
‘ in this island, before we had heard of their em-
‘ barkation, if they had met with a fair wind,
‘ instead of meeting with that tempest, which
‘ dispersed them, and disappointed their design.
‘ The winds and waves were then our only safe-
‘ guard; but the winds and waves are not under
‘ our command; and therefore, it is a safeguard,
‘ upon which we ought never to place our only
‘ dependance.

‘ His late Majesty, ’tis true, my Lords, trust-
‘ ed entirely to his fleet, for putting an end to
‘ the war he was engaged in with *Spain*; and,
‘ therefore, he reduced his land army; but, the
‘ circumstances we are now in, are extremely dif-
‘ ferent. The *French* were not only our firm allies
‘ but our partners in that war, and invaded that
‘ kingdom with an irresistible land army, while
‘ we scoured their coasts with an irresistible navy.
‘ For this reason, we had then no occasion to
‘ send any land forces against them; but, if we
‘ should

‘ should now be engaged in a war with *Spain*,
‘ can we expect such a partner? Can we expect
‘ any such assistance? I hope, *France* would not
‘ declare against us: I have reason to believe they
‘ would not; but, it is to be feared, that the
‘ subjects of *France* would under-hand give the
‘ *Spaniards* all the assistance they could. This,
‘ my Lords, is a material difference; and, I
‘ must take notice, that though his late Majesty
‘ had no occasion to attack *Spain* with a land ar-
‘ my, yet, the reduction he made of his land ar-
‘ my, probably, gave rise to their design of in-
‘ vading us, and put this nation to an expence
‘ much superior, to what we saved by the re-
‘ duction.

‘ Thus, my Lords, I have endeavoured to
‘ follow the noble Lord, in his remarks upon the
‘ several countries and potentates of *Europe*, and,
‘ I think, I have shewn, that whatever seeming
‘ security the tranquillity of *Europe* may be in at
‘ present, it depends upon a very unsettled foun-
‘ dation. Nay, I think, I have shewed, that
‘ the tranquillity and security we now enjoy, is
‘ chiefly owing to the army we have kept up, and
‘ that it entirely depends upon our continuing to
‘ keep up the same army. I shall now beg leave
‘ to make some remarks upon our domestick cir-
‘ cumstances, by way of answer, to what the no-
‘ ble Lord has been pleased to say upon that
‘ head. With regard to them, my Lords, I
‘ shall grant, that we cannot properly say, there
‘ is any considerable disaffection among our peo-
‘ ple. I believe there are very few amongst us,
‘ who are really enemies to the illustrious Family
‘ now upon our throne, or who have a blind,
‘ and I may add, a mad affection, for any other
‘ family; but, my Lords, there is such a spirit
‘ of sedition, such a spirit of disobedience to all
‘ government, lately gone forth, that, I am per-
‘ suaded,

‘ suaded, if it were not for our army, we should
‘ have not only mobs and tumults, but insurrec-
‘ tions and rebellions in every corner of our do-
‘ minions. How this spirit has come to prevail
‘ so much, or spread so far, I am at a loss to ac-
‘ count for. I am sure, no man can say, it is
‘ owing to any acts of oppression or injustice in
‘ our government; and, therefore, I am apt to
‘ impute it to the many defamatory libels that are
‘ spread daily, weekly, and monthly, through
‘ the whole kingdom, and the unlawful, though
‘ not illegal, liberties they take with magistrates,
‘ whose characters as well as persons are made sa-
‘ cred, by the laws of all countries but this.
‘ When such a spirit is so universal, it is not to be
‘ supposed, but that some ambitious, or ne-
‘ cessitous, great and wicked men, would be
‘ forming plots and conspiracies against the peace
‘ and government of their country, if their hopes
‘ of success were not prevented by keeping up
‘ a body of regular forces; and therefore, though
‘ there may be no plot or conspiracy at present, it
‘ is to be supposed there would soon be one, if
‘ we should make a reduction of our army; for,
‘ I must observe, upon this occasion, that we ne-
‘ ver did reduce our army much lower than it is
‘ at present, but what it occasioned some plot or
‘ conspiracy against the government. The rebel-
‘ lion in 1715, was occasioned by the small num-
‘ ber of regular forces we had then on foot; the
‘ designed invasion from *Spain* in 1718, was oc-
‘ casioned by the reduction of our army; and
‘ the plot, usually called the bishop of *Rocheſter’s*,
‘ in 1721, proceeded from the same cause; from
‘ whence it appears, that the only way to preserve
‘ our present domestick tranquillity, is, to pre-
‘ serve that which is the cause of it, I mean, the
‘ number of regular forces we have now on
‘ foot.

‘ The army, ’tis true, Sir, cannot entirely prevent mobs and riots, nor can they prevent some little mischiefs being done, by a sudden and unlook’d for tumult ; but, the army will always be able, I hope, to prevent a mob’s forming itself into an insurrection ; and, there would certainly be a great many more mobs, and a great deal of more mischief done by those mobs, if it were not for our army. The mob at *Edinburgh* would, probably, have proceeded to other, and more heinous outrages, if they had not been over-awed by a regiment’s being in their neighbourhood ; and here in *Westminster*, and in most other places of the kingdom, if it were not for our regular troops, our magistrates themselves, perhaps some persons of the first rank or quality, might be made sacrifices of by the mob, instead of those low sacrifices they now sometimes, though rarely, make, of informers, and inferior executioners of justice. Even those little pieces of popular justice, or rather of popular resentment, which have been lately executed by the mob, are owing to the small number of regular troops we have now on foot, and the great regard those troops shew to the laws and constitution of their country ; for, we cannot have a body of such troops in every place where a mob may happen, nor can those troops march, or attempt to quell any mob that does happen, till they are regularly, according to the instructions they have from his Majesty, required so to do, by a proper civil magistrate ; so that some mischief is generally done by the mob, before the troops can march up to them, or attempt to disperse them ; and, sometimes the march of the troops is prevented, which was the case at *Edinburgh*, by the ignorance or neglect of the civil magistrate, who ought to call them to his assistance.

‘ As for taxes, my Lords, I am sure no government can be supported without taxes of some kind or other, and wherever there are taxes or duties upon goods of any kind, there will be smuggling: That smuggling the government must endeavour to prevent and punish; and when the smugglers arm themselves with military weapons against the civil power, a military force of some kind or other must be employed against them. If you were not to employ regular troops in such cases, you must employ your militia; and, I think it much better to employ regular troops, than to expose the lives of your gentlemen, freeholders, merchants, or tradesmen. The laws relating to our taxes are, I think, the only laws that meet with a frequent opposition in their execution; and if there is any thing really oppressive in any of these laws, I shall readily agree to amend or repeal them; or if an oppressive use has been made of any of them, I shall readily join in an enquiry into the abuse, and shall be glad to see the offenders meet with condign punishment; but while these laws subsist, they must be executed; and every one knows, that it often becomes necessary to employ a military force for that purpose.

‘ We have no taxes, my Lords, but what are necessary for the current service, and for paying off the interest and principal due to the creditors of the publick; therefore our taxes can give no disquiet to any man, who has a regard for the safety and honour of his country. Our debts, or a considerable part of them, must be paid off, before we can diminish our taxes. This will in a few years be the necessary effect of the sinking fund, if in the mean time the nation be put to no extraordinary expence; for if it should, that fund must be diverted, or new

‘ taxes laid on the subject. The only infallible
‘ method therefore, for diminishing our taxes, is
‘ to prevent the nation’s being put to any extra-
‘ ordinary expence; and as invasions, plots, and
‘ conspiracies, always bring an extraordinary
‘ expence upon the nation, and are, as I have
‘ shewn, generally the consequences of making a
‘ reduction in our army, therefore the only infal-
‘ lible, and most speedy way for diminishing our
‘ taxes, is to make no reduction in our army,
‘ unless we were absolutely secure both against
‘ invasions from abroad and conspiracies at home.
‘ From hence I must conclude, that, if we have
‘ a mind to remove, as soon as possible, those
‘ discontents that may now be occasioned by the
‘ number and weight of our taxes; if we have a
‘ mind to give a speedy check to the trade of our
‘ neighbours, by enabling our manufacturers and
‘ tradesmen to sell the produce of their labour at
‘ a cheaper rate than usual; we must be extream-
‘ ly cautious of making a reduction in our army.

‘ As for the other arguments, my Lords, in
‘ favour of a reduction, which the noble Lord
‘ was pleased just to mention, they are all of
‘ them arguments against keeping up any num-
‘ ber of regular troops; and as they have been
‘ all fully answered upon former occasions, I shall
‘ not take up your time with repeating those an-
‘ swers: Only I must observe, that it is a great
‘ mistake to imagine, that as soon as a man be-
‘ comes a soldier, he ceases to be a tradesman or
‘ labourer: On the contrary, there are many sol-
‘ diers who, when they are not upon duty, work
‘ as hard as any tradesman or labourer in the
‘ kingdom; and, I believe, no officer will refuse
‘ to give a soldier leave to be absent, when his
‘ duty does not necessarily require his presence;
‘ nay, they are often allowed to be absent from
‘ duty, if they can procure one of their compa-
‘ nions,

‘ nions, not then upon duty, to do their duty for
‘ them; therefore we must not conclude, that
‘ the yearly profits, or revenue of the nation in
‘ general, suffers any great diminution by the
‘ number of regular troops now kept in pay.

‘ I shall agree with the noble Lord, that when
‘ any affair of an extraordinary nature is to be
‘ laid before Parliament, it is usual for the King
‘ to take some notice of it in his speech from the
‘ throne, at the beginning of the session; but
‘ surely, my Lords, the keeping up of the same
‘ number of regular troops we had last year, the
‘ same we have kept up for several years, the
‘ least number, I believe, we have kept up ever
‘ since his Majesty’s accession, cannot be called
‘ an affair of an extraordinary nature. There
‘ was, therefore, no occasion for his Majesty to
‘ take notice of it, in his speech from the throne;
‘ or to mention any thing about the army, unless
‘ he had then thought that there would be a ne-
‘ cessity for increasing it. If there had been any
‘ such design, his Majesty would certainly have
‘ mentioned it, and would have told us some of
‘ his reasons for thinking, that an augmentation
‘ would be necessary; and from a parity of reason,
‘ when any member thinks a reduction ought to
‘ be made, it is incumbent upon him to shew
‘ some late alteration in the circumstances of the
‘ nation, for inducing us to believe that such a
‘ reduction may with safety be made. This, as
‘ I took notice at the beginning, the noble Lord
‘ has neglected to do, and this to me is of itself
‘ a convincing proof, that no reduction ought to
‘ be made; because, as he never misses any good
‘ argument that can be made use of in favour of
‘ what he proposes, if there had been any altera-
‘ tion, I am sure he would not have missed set-
‘ ting it in the most clear and conspicuous light.”

The Earl of *Chesterfield* spoke next in substance as follows, *viz.*

The Earl of
Chesterfield's
speech,

‘ My Lords,

‘ Although I expected that there would this
‘ day be some debate upon the affair now before
‘ you, yet I came hither without the least design
‘ of giving you any trouble upon this occasion;
‘ for the question now before you has been so of-
‘ ten debated, and all the arguments that can be
‘ made use of in its favour, so clearly and dis-
‘ tinctly put, upon former occasions, that it is
‘ difficult to say any thing new upon the subject:
‘ But the noble Lord who spoke last, took occa-
‘ sion from what happened last year, to make use
‘ of an argument, which, I think, lays an obli-
‘ gation upon me to declare my approbation of
‘ what is now proposed to you, in the most pub-
‘ lick manner. The noble Lord took notice, that
‘ the number of forces proposed to be kept up
‘ for the ensuing year, was agreed to last session
‘ of Parliament without any opposition or debate,
‘ and therefore his Lordship concluded, that the
‘ same number ought likewise now to be agreed
‘ to without opposition, unless we could shew,
‘ that some material alterations have happen’d in
‘ the affairs of the nation since last year.

‘ My Lords, suppose I am indolent and neg-
‘ lect to oppose, or speak against what I disap-
‘ prove of in one session, is that a reason why I
‘ should not oppose it, or speak against it, when
‘ it comes before the house in a new session? My
‘ silence last year did not proceed from my ap-
‘ proving of what was then done, but from a
‘ presumption, which I had formed from repeat-
‘ ed experience, that nothing I could say upon
‘ that subject, would have any weight with the
‘ majority of this house; and this, I’m afraid,
‘ will

‘ will be the fate of what I am now to say.
‘ However, in order to prevent the same argu-
‘ ment’s being made use of next session, I am re-
‘ solved to say something; and to satisfy that no-
‘ ble Lord in what he seems so sollicitous about,
‘ I must acquaint him, that I think our present
‘ circumstances very different from what they
‘ were last session. The peace between the Em-
‘ peror and *France* was then but lately concluded;
‘ and as the affairs of *Europe* had, by means of
‘ that peace, taken a very new, and a very extra-
‘ ordinary turn, it might last session have been
‘ alledged, that we ought to continue our army,
‘ till we should see what changes that turn might
‘ produce. Though I do not think this would
‘ have been a good argument; yet, even this ar-
‘ gument is now removed; because that turn is
‘ not, we find, like to produce any changes to
‘ our disadvantage, at least none we can prevent
‘ by keeping up our army, whatever might be
‘ done by disbanding a part of it. Last session,
‘ the war between the Emperor and *Turks* was
‘ just upon the point of breaking out; and we
‘ did not then know, but that *France* or *Spain*
‘ would take advantage of that war, to attack
‘ the Emperor. This too, I think, would have
‘ been no good argument; but this likewise is
‘ now removed; for we find *France* is so far from
‘ attacking the Emperor, that she is labouring to
‘ bring about a peace between him and the *Turks*,
‘ and to accommodate all differences between
‘ him and the court of *Spain*. Therefore, even
‘ those who voted for the number of forces last
‘ year, may with good reason oppose keeping up
‘ the same number for the ensuing.

‘ Another argument, my Lords, which the
‘ noble Lord made use of, may shew us how
‘ cautious we ought to be of agreeing to any en-
‘ croachment upon, or alteration in, our constitu-
‘ tion.

‘ tion. He told us, that the keeping up of a
‘ mercenary, standing army of 18,000 men, was
‘ an affair of no extraordinary nature: For why?
‘ Because the same number was kept up last year,
‘ and has been kept up for several years. My
‘ Lords, the keeping up of any such army in
‘ time of peace, is an encroachment, and but a
‘ late encroachment, upon our constitution; there-
‘ fore, the keeping up of any number of regular
‘ troops, is an affair of an extraordinary nature;
‘ but, the keeping up of such a numerous army,
‘ is an affair of a most extraordinary nature, so
‘ extraordinary, that it ought never to be agreed
‘ to but in times of the most apparent, and most
‘ imminent danger; and, the reasons for appre-
‘ hending that danger, ought always to be com-
‘ municated to Parliament by his Majesty, either
‘ in his speech from the throne, or by a special
‘ message. If we do not lay this down as an in-
‘ violable maxim, the keeping up of such a nu-
‘ merous, perhaps a more numerous army, will
‘ become an affair of course; and, if it should
‘ become so, I can see no reason for not establish-
‘ ing it by a perpetual law. I wish the bill now
‘ before us had been a bill of such a nature.
‘ Such a bill would have made people sensible of
‘ their danger; whereas, by the method we are
‘ in, we are like to have a perpetual army palm-
‘ ed upon us, under colour of an annual bill.
‘ An army kept up by a perpetual law, would
‘ be as much an army kept up by consent of Par-
‘ liament, as an army perpetually kept up by an
‘ annual bill. I can see no difference between
‘ the one and the other: They are both danger-
‘ ous, and equally dangerous to our constitution;
‘ and were thought so by the whole nation,
‘ except a few courtiers, in the reign of King
‘ *Charles II.* when the custom of keeping up of a
‘ few regular troops, under the denomination of
‘ guards,

guards, was first introduced. I do not know how the words, *unless with consent of Parliament*, crept into the claim of right; for, from the journals of Parliament it appears, the house of Commons in King *Charles* II'd's time, were of opinion, that the keeping up a standing army in time of peace, was inconsistent with our constitution, whether that army was kept up with or without the consent of Parliament: In their resolutions, there is no such exception; and, if the keeping up a standing army in time of peace be wrong, as it must be, if it be inconsistent with our constitution, I am sure the sanction of Parliament, whether by an annual or perpetual law, cannot make it right.

I need not, I believe, my Lords, trace the noble Lord in his travels over *Europe*, in order to extenuate the dangers he has endeavoured to pick up, for shewing the necessity we are under at present, for keeping up such a numerous army. I think, all the dangers he has mentioned, either abroad or at home, depend upon may-be's, which must always subsist. A minister may die,——a prince may have ambitious views,——a prince's success may raise the jealousy of others,——his misfortunes may revive their hopes,——there may be a design to invade us, tho' we have not, at present, the least item of it,——*Spain* may refuse to do us justice, or may be assisted by the *French*, tho' we have yet no reason to expect either the one or the other,——a plot for an insurrection may be forming, tho' we have not, at present, the least intimation of any such thing, no, not even from common reports or surmises:—— And all these may-be's or possibilities, will become probabilities, or certainties, if we should reduce our army.

Are

‘ Are these arguments, my Lords, that can convince any man in the kingdom, of our being under a present necessity, for keeping up a numerous standing army in time of peace? If they are, they must always be so. Can there ever be a minister who can be supposed to be immortal? If there could, the present minister in *France* has as good a title, and deserves as much to be immortal, as any minister ever did; but, luckily for us, he is not so; for, he has done this nation more harm by his peaceable measures, than he could ever have done by any warlike and ambitious projects. Can there ever be a time, when it can be supposed, that no Prince or state in *Europe* has any ambitious views? If there could, it would be the present; for, no Prince in *Europe* seems, at present, to have an ambitious view, at least against any of his Christian neighbours: A certain Queen, indeed, may be supposed to have some ambitious views in favour of some of her children; but, her ambition is now restrained, by the guaranty of *France*; and that, I believe, will be sufficient without our assistance. Can there ever be a time, when it can be supposed impossible for any Prince in *Europe* to be meditating an invasion upon us? If there could, the present would be that time; for, there is now no Prince in *Europe* that either has, or is preparing a fleet that can give us the least umbrage. Can there ever be a time, when it can be said, that no man is mad enough to be conspiring against the government, or contriving some such plot as that which was lately executed in *Westminster-Hall*? If there could, I am sure we might say so at present; for, however much dissatisfied the people may be with some persons concerned in the administration,

‘ none

‘ none of the mobs or tumults that have lately
‘ happened, have expressed the least resentment
‘ against his Majesty, or any of the royal Family,
‘ nor the least dislike to our present happy esta-
‘ blishment.

‘ It is not possibilities, my Lords, it is not
‘ probabilities, nothing but certain immediate dan-
‘ ger, ought to induce us to agree to the keeping
‘ up of such a numerous army as we have at
‘ present. A foreign power preparing to disturb
‘ the tranquillity of *Europe*, or to invade this na-
‘ tion; a plot or conspiracy actually formed, and
‘ in part discovered, would be a good reason for
‘ our continuing the same number of forces in
‘ pay for one year longer; and, if his Majesty
‘ had, either by his speech, or by a special mes-
‘ sage, told us, that he had reason to appre-
‘ hend such a thing, I am convinced no such
‘ question as the present would, this day, have
‘ been started; I am sure, I should not have
‘ agreed to it. But, I have no such veneration
‘ for last session of Parliament, or for any former
‘ session of Parliament, as to agree to the keep-
‘ ing up a standing army of 18,000 men, only
‘ because they thought fit to agree to the keeping
‘ up of that number.

‘ In talking of providing against what may
‘ happen, we seem, my Lords, to forget the
‘ dictatorial power, by our constitution always
‘ lodged in the crown, which enables his Ma-
‘ jesty to take care, during the recesses of Parlia-
‘ ment, *ne quid respublica detrimenti capiat*. We
‘ seem to forget, that as long as we have money
‘ to pay for them, we may, upon any emergency,
‘ have what troops we please from *Germany*, and
‘ have ships always ready at command to send
‘ for them. We seem to think there are no men
‘ in the kingdom able to bear arms, but such as
‘ are listed in the army. We seem to think, that
‘ if

‘ if any regiments were disbanded, both officers
‘ and soldiers would all run immediately out of
‘ the kingdom. Do not we know, that the offi-
‘ cers would all be kept upon half pay, and the
‘ soldiers would betake themselves to their former
‘ employments, or would become labourers in the
‘ country, where such servants are much wanted?
‘ Suppose the army should be reduced much
‘ lower than is now proposed, and suppose, after
‘ that reduction, and during the recess of Parlia-
‘ ment, a rebellion should break out, or an in-
‘ vasion should be threatened, could not his Ma-
‘ jesty, by virtue of that prerogative, which I
‘ have called the dictatorial power, send for re-
‘ gular troops from *Holland, Germany, or Den-*
‘ *mark*? Could not he immediately issue orders
‘ for raising new regiments? The officers would
‘ be all ready at his call, and the old soldiers, if
‘ they refused to list, might be forced into the
‘ service. I should be glad to know, why a sol-
‘ dier may not be pressed, as well as a sailor?
‘ I should be glad to know, why we should keep
‘ our soldiers in continual pay, and dismiss our
‘ sailors as soon as the danger is over. Our poli-
‘ ticks in this are, I think, a little preposterous,
‘ as well as in several other cases, I could men-
‘ tion. In my opinion, we have more reason to
‘ keep our sailors in continual pay, than our sol-
‘ diers. The latter cannot well leave us, the
‘ former may easily leave us; and, by the treat-
‘ ment they meet with at home, are often forced
‘ into foreign service. To which let me add,
‘ that a plowman or a tradesman may much
‘ sooner learn to be a soldier, than he can learn to
‘ be a sailor.

‘ These considerations, my Lords, shew, that,
‘ if the noble Lord’s may-be’s should become
‘ shall-be’s, a reduction of our army could be
‘ no great disadvantage to us, nor could it much
‘ enhance

‘ enhance any danger we can be under from inva-
‘ sions or insurrections ; but, with respect to the
‘ dangers that may ensue from a reduction, or
‘ from the keeping up, of our army, I find,
‘ some Lords are apt to judge after a very odd
‘ manner. When we talk of a reduction, and
‘ the dangers that may from thence ensue, they
‘ look upon possibilities as probabilities, and upon
‘ probabilities as certainties ; whereas, when we
‘ talk of keeping up a numerous army in time of
‘ peace, and the dangers that may from thence
‘ ensue, their method of judging is directly re-
‘ versed : Certainties are with them then nothing
‘ but probabilities, probabilities nothing but possi-
‘ bilities, and possible events they take to be such
‘ as cannot possibly happen. This has been the
‘ way that courtiers have judged, ever since we
‘ first began to keep up any thing like regular
‘ troops ; and, they seem still to continue to
‘ judge in the same way, though experience has
‘ shewn, that they ought to judge quite other-
‘ wise.

‘ Necessity, my Lords, was pleaded for our
‘ first standing army, and that necessity was to
‘ last but for a year, that army was to be kept up
‘ but till next session of Parliament. The friends
‘ of liberty and our constitution then prophesied,
‘ that the necessity then pretended would last for
‘ ever, and that a standing army, if once intro-
‘ duced, would become perpetual, which the
‘ courtiers pretended to think impossible. Expe-
‘ rience has since shewed us the certainty of what
‘ the courtiers then pretended to think impossible.
‘ A body of guards were the first regular troops
‘ kept up by authority of Parliament : The
‘ friends of liberty look’d upon these guards as
‘ the seeds of a standing army, and prophesied,
‘ that, like all pernicious weeds, they would in-
‘ crease vastly, that they would increase so as to
‘ choak

' choak our constitution. The first part of this
 ' prophecy has been fulfilled, God grant the other
 ' may not. A courtier would then have said, it
 ' was impossible, that a body of guards, not ex-
 ' ceeding 800 men, should increase to an army of
 ' 18,000 ; yet, we see it has come to pass ; and,
 ' upon every occasion, the word necessity was
 ' urged for increasing, as it was at first urged for
 ' establishing, this body of regular troops. A
 ' few more troops were always said to be necessa-
 ' ry, a few more could subject us to no danger ;
 ' so that, by a few more, and a few more, we at
 ' last arrived at the number we have now on foot.
 ' This, my Lords, is a most dangerous doctrine ;
 ' an army is like a medicine, which ought never
 ' to be taken, but in a dangerous distemper, and
 ' then it may be a good remedy, if taken to
 ' a proper quantity ; but, by adding a drop
 ' more, and a drop more, you may make it a
 ' poison ; and, an able physician only can deter-
 ' mine, where the remedy ends, and where the
 ' poison begins. A quack, through ignorance,
 ' or for some little selfish end, often poisons his
 ' patient by giving too large a dose, or ruins his
 ' health, by giving him the medicine when he is
 ' in no danger. Like him, if you keep up a nu-
 ' merous army, when there is no danger, you'll
 ' destroy the health of your constitution ; if you
 ' keep up a greater number than is proper, you'll
 ' poison it.

' To keep up a numerous army, my Lords,
 ' for the sake of guarding against dangers that
 ' can only be said to be possible, is to expose our-
 ' selves to those dangers that are probable, for
 ' the sake of avoiding those that are only possi-
 ' ble ; which no man can say is prudent. Nay,
 ' I may go farther, I may say, that the keeping
 ' up of a numerous army in time of peace, is no
 ' proper safeguard against those possible dangers
 ' it

‘ it is kept up to prevent, and exposes us to dan-
‘ gers that are certain. Slavery and arbitrary
‘ power are the certain consequences of keeping
‘ up a standing army, if it be kept up for any
‘ number of years. It is the machine by which
‘ the chains of slavery are riveted upon a free
‘ people, and wants only a skilful and proper
‘ hand to set it a going. This it will certainly
‘ at last, and perhaps soon, meet with, if you
‘ do not break it to pieces, before the artist takes
‘ hold of it. It is the only machine by which
‘ the chains of slavery can be riveted upon us :
‘ They may be secretly prepared by another, by
‘ corruption, which, like the dark and dirty chan-
‘ nel through which it runs, may hiddenly and
‘ imperceptibly forge our chains ; but by cor-
‘ ruption they can be forged only : It is by a nu-
‘ merous standing army that they must be ri-
‘ veted. Without such an army, we should
‘ break them asunder as soon as we perceived
‘ them, and should chop off the polluted hands
‘ of those that had prepared them.

‘ It is no argument, my Lords, to say, we
‘ have kept up an army for a great many years
‘ without being sensible of any danger. The
‘ young, fiery courser is never brought at once to
‘ submit to the curb, and patiently to receive the
‘ rider upon his back. If you put the bit into
‘ his mouth without any previous preparation, or
‘ put a weak and unskilful rider upon his back,
‘ he will probably break the neck of his rider ;
‘ but by degrees you may make him tamely
‘ submit to both. A free people must be treated
‘ in the same manner : By degrees they must be
‘ accustomed to be governed by an army, by de-
‘ grees that army must be made strong enough
‘ to hold them in subjection. If you should at
‘ once attempt to govern your people by a mi-
‘ litary power, and before they are a little pre-
‘ pared

‘pared for the yoke; if you should mount your
‘army upon them, before it has gathered strength
‘to keep its seat in the saddle, your people would
‘probably break the necks of those that attempt-
‘ed to ride them. But we have already for
‘many years been accustoming our people to be
‘governed by an army, under pretence of making
‘use of that army only to assist the civil power;
‘and by degrees we have been for several years
‘increasing the number, and consequently the
‘strength, of our army. At the accession of his
‘late Majesty our army was but 6000. It soon
‘mounted up to double that number; and under
‘various pretences it has been increasing ever
‘since. But within these few years, three regi-
‘ments, which make near 2000 men, were add-
‘ed to it, under pretence of strengthening our
‘garisons at *Gibraltar* and *Portmahon*; and this
‘last year, a new regiment of 600 men has been
‘added to it, under pretence of securing our co-
‘lony of *Georgia*. I find no fault, my Lords,
‘with securing our valuable possession of *Gib-*
‘*ralter* and *Portmahon*, or with securing any of
‘our Plantations in *America*; but, I think, it was
‘needless to increase our expence, and our dan-
‘ger, by raising new regiments for that purpose,
‘when we had so many useless regiments at
‘home, some of which might have been sent
‘upon that service. I say useless; for with re-
‘spect to any good use that can be made of them,
‘I think them not only useless but dangerous:
‘Whereas, if they had been sent abroad, they
‘would have been useful, and would have been
‘much less dangerous: To which I must likewise
‘add, that they would have been less expensive;
‘for I must observe, that the regiments we send
‘abroad cost the nation less money, in propor-
‘tion to the number of men, than those we
‘keep at home; because, in the latter, there are
‘always

‘ always more officers in proportion than in the
‘ former ; which shews, though I shall not pre-
‘ tend to give the reason, that abroad, the soldi-
‘ ers of our army are thought the most useful, but
‘ at home, the officers.

‘ From hence we may see, my Lords, that
‘ our army is almost every year increasfing ; and
‘ from hence I must conclude, that slavery, un-
‘ der the disguise of an army for protecting our
‘ liberties, is creeping in upon us by degrees ;
‘ for if no reduction be made this year, I shall
‘ expect, in a few years, to hear some minister,
‘ or favourite of a minister, terrifying us with
‘ imaginary plots and invasions, and making the
‘ tour of *Europe* in search of possible dangers, in
‘ order to shew us the necessity of keeping up a
‘ mercenary standing army, of treble the num-
‘ ber we have at present.

‘ Attempts to overturn the balance of power
‘ in *Europe*, designs to invade these kingdoms,
‘ and plots or conspiracies against our govern-
‘ ment, I shall grant, are dangerous things ; but
‘ now, my Lords, let me examine, if the keep-
‘ ing up of a standing army in this island in time
‘ of peace, be a proper method for guarding a-
‘ gainst any of those dangers. If we have a
‘ mind to prevent invasions, or to preserve the
‘ peace, or balance of power in *Europe*, and for
‘ that purpose, to preserve an influence upon the
‘ councils of foreign princes ; the increasfing or
‘ keeping up a numerous standing army is, in my
‘ opinioa, the worst method we can take. Did
‘ the increasfing of our army in the year 1725,
‘ do us any service ? Did it add to the weight of
‘ our influence upon the councils of any poten-
‘ tate in *Europe* ? Every one knows it did not.
‘ Again, upon the breaking out of the last war,
‘ we increasfing our army. Did that preserve or
‘ restore the peace of *Europe* ? ’Tis true, there

‘ was a plan of peace concerted by some powers
‘ I could name. But did either of the parties en-
‘ gaged in war, shew the least regard to that
‘ plan? Did they not privately, and between
‘ themselves, conclude a peace upon a very dif-
‘ ferent plan? A plan which we would never
‘ have proposed, a plan which the Emperor would
‘ never have agreed to, if we had at that time
‘ had the least influence upon his councils; and
‘ therefore, I may say, a plan which was con-
‘ certed and agreed to without our knowledge or
‘ participation. The cause of our having lately
‘ had so little influence upon foreign councils is
‘ plain; for as we have no frontier to defend,
‘ nor any fortified towns to garison, while we
‘ keep up a numerous standing army, all the
‘ powers of *Europe* will conclude, that our peo-
‘ ple are generally disaffected, and that our go-
‘ vernment is obliged to keep up a numerous
‘ standing army, in order to extort from the people,
‘ by force and fear, that obedience, which it can-
‘ not expect from their affection or esteem. This
‘ will not only prevent our having any influence
‘ upon foreign councils; but it will make our
‘ neighbours despise, insult, and incroach upon
‘ us; and it will encourage them to form designs
‘ for invading us, if we should at any time dare
‘ to vindicate our rights, or revenge the insults
‘ that have been put upon us.

‘ This, I’m afraid, my Lords, is the case at
‘ present with regard to *Spain*. I believe that na-
‘ tion would not have dared to have treated us in
‘ the manner they have done, if they had not
‘ judged, from our keeping up a numerous army,
‘ that there is a formidable disaffected party a-
‘ mongst us; and if they should flatly refuse to
‘ give us satisfaction, I believe it will proceed
‘ from the same cause. But I do not believe they
‘ will flatly refuse. If a rogue were in possession
‘ of

‘ of my estate, I should think him a fool as well
‘ as a rogue, if he flatly denied restitution, as
‘ long as he could by fair promises prevent my
‘ going to law ; or if he flatly denied to make
‘ any restitution, when he found that I would be
‘ satisfied with a restitution of one moiety. *Spain*
‘ will, I believe, do as they have done, they will
‘ give us fair promises, or they may perhaps of-
‘ fer a partial reparation ; but we can expect no
‘ full and effectual satisfaction or security, as long
‘ as they think we are afraid of our own people ;
‘ therefore the only way to obtain either, is to
‘ shew them, by a reduction of our army, that
‘ we are neither afraid of our own people, nor of
‘ any invasion they can attempt.

‘ In the last war we made upon *Spain* ; I do
‘ not mean the last they made upon us ; for in
‘ the years 1725 and 6, they made war upon us,
‘ though we made none upon them, being then,
‘ it seems, in a christian-like disposition, which,
‘ I believe, has encouraged them to make a sort
‘ of war upon us ever since : But I mean, my
‘ Lords, in the war which happened between the
‘ two nations in the year 1718, it was not the
‘ smallness of our army that made them attempt
‘ to invade us, but the powerful assistance they
‘ expected, from the party which had but just be-
‘ fore, without hopes of any foreign assistance,
‘ dared to take arms against the government.
‘ Nor was it the regent of *France* that compelled
‘ the *Spaniards* to make peace with us ; for
‘ though he invaded them with an army, yet
‘ they knew they had a great party of friends in
‘ *France*, and that the regent would have run the
‘ risk of being turned out of the regency, if he
‘ had attempted to do any great prejudice to
‘ their King, who, by his birth, had a better
‘ right to the regency of *France*, than the then
‘ regent had. But after their fleet was destroyed

‘ principles only can preserve our liberties, and ren-
‘ der us a glorious people. This is now so well
‘ and so universally understood, that I do not
‘ believe there are three young Jacobites in the
‘ kingdom; and the few old who are still alive,
‘ have by experience been made so cautious, that
‘ there is no danger of their engaging in any de-
‘ sperate attempt.

‘ From hence, my Lords, it must appear, we
‘ can be in no danger from disaffection; but upon
‘ the present question, which has so often been
‘ a question in this house, I find disaffection and
‘ dissatisfaction are usually confounded, though
‘ they are in themselves very different, and pro-
‘ ceed from different causes. Disaffection pro-
‘ ceeds from principles that are inconsistent with
‘ our constitution, and can seldom be cured but
‘ by the death of those that are tainted with such
‘ principles. Dissatisfaction proceeds from our
‘ government’s pursuing wrong measures, and
‘ may, nay must be cured by a change of mea-
‘ sures. I shall grant there is at present a most
‘ universal dissatisfaction among the people; and
‘ that dissatisfaction, I am convinced, proceeds
‘ chiefly from our having so long kept up such a
‘ numerous army. All those who are of Revolu-
‘ tion principles, must be dissatisfied with a mea-
‘ sure, which is so directly contrary to the princi-
‘ ples they profess; for it is ridiculous to preach
‘ up the doctrine of resistance, and at the same
‘ time provide the government with such an ar-
‘ my as will be able to prevent or defeat any re-
‘ sistance the people can make. Reduce your ar-
‘ my therefore, and those who are now dissatisfi-
‘ ed will become your most affectionate and most
‘ faithful friends. But what will be the conse-
‘ quence of a contrary measure? If you admit
‘ that the discontent or dissatisfaction of the peo-
‘ ple makes it necessary to keep up a numerous

‘ standing army, that army, as it is the effect, so
‘ it will be the cause of dissatisfaction, and will
‘ be every year begetting its own necessity. The
‘ longer you keep it up, the more you must in-
‘ crease it; and the more you increase it, the
‘ more you will increase the dissatisfaction of the
‘ people; so that by endeavouring to prevent
‘ danger, you will bring it upon you; by endea-
‘ vouring to add to your strength, you will in-
‘ crease your weakness.

‘ The most proper method therefore, for pre-
‘ venting danger from the dissatisfaction of the
‘ people, is to begin to diminish your army. Let
‘ us in this, my Lords, follow the example of his
‘ late Majesty, who, in the year 1718, made a
‘ great reduction of his army, notwithstanding
‘ the war he was then engaged in with *Spain*,
‘ notwithstanding the many friends the Pretender
‘ had then in the kingdom, many more than he
‘ can be supposed to have at present. By that
‘ reduction, and the speech his Majesty made up-
‘ on that occasion, he certainly gained the hearts
‘ of his people, and thereby added more to the
‘ strength of his government, and security of his
‘ crown, than if he had added 10,000 men to his
‘ army.

‘ A numerous standing army may, ’tis true,
‘ my Lords, prevent plots and conspiracies among
‘ a dispirited, a disarmed and dastardly people;
‘ but, does that prevent plots and conspiracies a-
‘ mong those of the army? No, my Lords: In
‘ all countries, where such armies have been long
‘ kept up, we find plots and conspiracies against
‘ the government more frequent and fatal, than
‘ in countries which have no standing armies.
‘ The plot called the Bishop of *Rocheſter*’s, was
‘ so far from being founded upon the smallness
‘ of our army, that those conspirators, if they
‘ had any concerted plot, trusted chiefly to the
‘ army

‘ army for the execution of their design. It was
‘ by means of the friends they imagined they
‘ could make among the common soldiers, that
‘ they were to seize upon the Tower of *London*,
‘ and to overturn our government, as it were, in
‘ an instant. Their plot, ’tis true, did not meet
‘ with any success; and ’tis no wonder, consider-
‘ ing the low and improper tools that were con-
‘ cerned; but, I may now prophesy, that, if we
‘ keep up, for many years longer, such a nume-
‘ rous army as we have at present, some such
‘ plot will at last come to be executed; for, if
‘ the guards only here about *London* should mu-
‘ tiny, at a time, when the people are generally
‘ dissatisfied with the government, they might,
‘ perhaps, bring about as quick, and as thorough
‘ a revolution in this kingdom, as ever was
‘ brought about in *Turkey*, by the Janizaries at
‘ *Constantinople*.

‘ I think, I have now shewn, my Lords, that
‘ we are at present in no real danger of having
‘ the present tranquillity in *Europe* disturbed, or
‘ of having our own tranquillity disturbed either
‘ by invasions or insurrections; I think, I have
‘ shewn, that the keeping up of a numerous stand-
‘ ing army, is the most improper method we can
‘ take, for preventing or guarding against any of
‘ those dangers; and, I hope, I have shewn, that
‘ the keeping up of such an army, will always
‘ be of dangerous consequence to our liberties
‘ and constitution. To pretend, that our liberties
‘ can be in no danger from our army, because it
‘ is commanded by gentlemen of the best families
‘ and fortunes in the kingdom, is an argument
‘ I am surprized ever to hear made use of; for,
‘ our liberties ought to depend upon our consti-
‘ tution, and not upon the honour of the gentle-
‘ men of our army. I can, ’tis true, depend up-
‘ on the honour of those who are, at present, the

‘ officers of our army; but, my dependence is
‘ not founded upon their being gentlemen of fa-
‘ mily or fortune: It is founded upon their per-
‘ sonal characters only. I have the honour to be
‘ acquainted with many of the chief officers of
‘ our army: I know their honour, and the regard
‘ they have for the liberties of their country;
‘ and, upon that knowledge I can depend. If I
‘ were not acquainted with them, I should have
‘ but little regard to their being gentlemen of
‘ family or fortune; for, in all countries where
‘ arbitrary power has been established, many gen-
‘ tlemen of the best families and fortunes, have,
‘ through fear or ambition, become the tools of
‘ ministers, and have assisted or suffered them to
‘ sacrifice the liberties of their country.

‘ For this reason, my Lords, I can depend on-
‘ ly upon the personal characters of officers; and,
‘ even this would be but a precarious dependence,
‘ if I did not likewise depend upon his present
‘ Majesty’s wisdom and goodness; for, as all the
‘ gentlemen of honour in the army, may, at the
‘ pleasure of the crown, be dismissed, and proper
‘ tools put in their room, the personal characters
‘ of those who are the officers of our army, can
‘ furnish no man with any certain security or de-
‘ pendence. But, I am fully convinced, no such
‘ thing will, or can be done, during his present
‘ Majesty’s reign: While these kingdoms are
‘ blessed with a continuance of his reign, I am
‘ sure, he will neither attempt, nor allow any of
‘ his ministers to attempt, to make a bad use of
‘ our army, were it much more numerous than it
‘ is; and yet, my Lords, I must bemoan, because
‘ I cannot account for, some things that have
‘ lately happened: Some gentlemen have been
‘ lately turned out of the army, without having
‘ had any crime so much as alledged against
‘ them; gentlemen who, to the merit of long
‘ and

‘ and faithful services, had added the right and
 ‘ title of purchase. These things, I say, I can-
 ‘ not account for. His Majesty had, certainly,
 ‘ good reasons for what he did; but, the know-
 ‘ ledge, I have of the gentlemen, and the regard
 ‘ I have for them, oblige me to think, that those
 ‘ reasons were founded on misrepresentation; and
 ‘ such accidents give me the greater concern, be-
 ‘ cause, when officers of the army are dismissed
 ‘ without any cause assigned, the world are apt
 ‘ to judge, it was not for their vices, but for
 ‘ their virtues. These late examples give me
 ‘ terrible apprehensions of what may happen in
 ‘ some future reign; and therefore, I must think,
 ‘ it is high time for us to begin to reduce our
 ‘ army.’

The Earl of *Chesterfield* having spoke upon the
 question relating to the army, Lord *Hinton* spoke
 next upon the same question, in substance as fol-
 lows, *viz.*

‘ My Lords,
 ‘ Considering how often the affair now before Lord Hinton's speech.
 ‘ us, has been debated in this house, I am surpri-
 ‘ zed, that those who speak upon one side of the
 ‘ question, should still continue to make use of
 ‘ those arguments, which have been so often
 ‘ shewn to be built upon a wrong foundation.
 ‘ They always suppose, that the keeping up of a
 ‘ military force is a late incroachment upon our
 ‘ constitution, and inconsistent with the liberties
 ‘ of the people. This supposition they take for
 ‘ granted, and upon this they found most of the
 ‘ arguments they make use of, in favour of the
 ‘ reduction they propose. Now, I can neither
 ‘ grant, that the keeping up of a military force
 ‘ is a late incroachment, or any incroachment,
 ‘ upon our constitution; nor can I grant, that it
 ‘ is

‘ is inconsistent with the liberties of the people ;
‘ for in this country it has always been the cus-
‘ tom, in all countries it is necessary, to have
‘ some sort of military force, upon which the
‘ people can depend, not only for defending
‘ them against foreign invasions, but for enabling
‘ the civil magistrate to execute the laws of the
‘ society, against great and powerful offenders.

‘ This military force, my Lords, which I say
‘ is necessary in every country, may consist in
‘ their militia, or it may consist in a body of re-
‘ gular troops kept in continual pay ; but what-
‘ ever it consists in, it must be such a one as may
‘ be depended on, for the two purposes I have
‘ mentioned ; therefore when a society finds it
‘ cannot trust to its militia, a body of regular
‘ troops must necessarily be kept in continual pay ;
‘ and that which is absolutely necessary for the
‘ safety of the people, cannot be an incroachment
‘ upon our constitution, or inconsistent with the
‘ liberties of the people. In former times, when
‘ none of our neighbours kept any regular troops
‘ in pay, and when our militia, and those pos-
‘ sessed of military fees or tenures, were all bred
‘ up to military discipline, and provided with
‘ proper arms for the defence of their country,
‘ as well as themselves, we could depend upon
‘ our militia ; but of late years, our neighbours
‘ have all begun to keep large bodies of regular
‘ troops in continual pay, and our people have
‘ applied themselves so much to arts and industry,
‘ that they have not time to breed themselves up
‘ to military discipline, nor will they be at the
‘ expence of providing themselves with arms ;
‘ therefore we can now put no trust or confidence
‘ in our militia, either for defending us against
‘ foreign invasions, or for enabling the civil ma-
‘ gistrate to execute our laws against powerful
‘ offenders ; and for this reason we are now, and
‘ have

‘ have been for some years, under a necessity of
‘ keeping up a large body of regular troops in
‘ continual pay; which body of regular troops
‘ must always bear some proportion to the num-
‘ bers of regular troops, with which we may
‘ at any time be invaded, and to the numbers
‘ of those who, we have reason to apprehend,
‘ want only an opportunity for rising in arms
‘ against the government, and laws of their
‘ country.

‘ Thus it appears, my Lords, that the keeping
‘ up a body of regular troops, is no late in-
‘ croachment upon our constitution: It is only
‘ an alteration we have been obliged to make,
‘ with respect to that military force which we
‘ must always have, for defending us against
‘ foreign invasions, and domestick offenders.
‘ And that the keeping up of a body of re-
‘ gular troops is not inconsistent with the liber-
‘ ties of the people, must appear, I think, not
‘ only from experience, but from its having been
‘ so long and so often agreed to by Parliament;
‘ for, from an experience of so many years stand-
‘ ing, I should think that some proofs or tokens
‘ of this pretended inconsistency would have be-
‘ come evident, at least I must think, that the
‘ signs or symptoms of this inconsistency, if there
‘ had been any such thing, could not so long
‘ have escaped the judgment and penetration of
‘ Parliament; and whatever some gentlemen
‘ may be pleased to think of our Parliaments since
‘ the Revolution, yet I must say, I have so good
‘ an opinion of their honour, and regard for their
‘ country, that I am convinced no one of them
‘ would have agreed to the keeping up a body
‘ of regular troops, if they had thought it incon-
‘ sistent with the liberties of the people.

‘ But though I do not think that the keeping
‘ up a body of regular troops is in itself incon-
‘ sistent

‘ sistent with the liberties of the people, yet, my
‘ Lords, I shall readily grant, that a standing
‘ army, not under the annual check of Parlia-
‘ ment, might be so modelled as to make it a
‘ proper instrument for overturning the liberties of
‘ the people, It is not the army that is of any
‘ dangerous consequence to our liberties, but it is
‘ the use that may be made of the army, after
‘ proper care has been taken to fill it with such
‘ men, as may be fit for the worst uses that can
‘ be made of an army. This is the only danger
‘ we can be exposed to by the keeping up of an
‘ army: This is a danger we ought to have
‘ a watchful eye upon; and this danger we may
‘ easily guard against, or prevent, as long as our
‘ army is kept up by an annual bill for that
‘ purpose; which shews the difference between
‘ an army kept up by an annual bill, and an
‘ army kept up by a perpetual law, so clearly,
‘ that I am surprized to hear it said, they are
‘ both standing armies, and equally dangerous
‘ to our constitution. Whilst recourse must be
‘ annually had to Parliament for a new law
‘ for keeping up our army, it will always be
‘ in the power of Parliament to dissolve that
‘ army, by refusing their authority for keeping
‘ it up, in case any attempt should be made to-
‘ wards modelling that army, so as to make it fit
‘ for bad purposes; or they may throw in such
‘ regulations into the law for keeping it up, as
‘ must prevent all such attempts for the future;
‘ whereas, if our army should be once established
‘ by a perpetual law, it would be out of the
‘ power of Parliament either to dissolve the army,
‘ or to provide against such attempts: It would
‘ be then properly a standing army; for, I think,
‘ the army ought always to take its appellation
‘ from the law or custom by which it is kept up.
‘ Those laws or customs which are designed to be
‘ perpe-

‘ perpetual, we generally call the standing laws or
‘ customs of a country ; but I never yet heard an
‘ annual law, called a standing law, nor would it
‘ defer ·e that name, though it should be annually
‘ agreed to for a whole century together ; and
‘ for the same reason, I think, that as long as our
‘ army is kept up by an annual law, it can never
‘ be properly called a standing army.

‘ I shall agree, my Lords, that no greater
‘ army ought ever to be kept up than the pre-
‘ sent necessity requires ; but this does not pro-
‘ ceed from the danger, but from the expence ;
‘ and because of the expence, I should be fond
‘ of agreeing to a reduction, if our affairs at
‘ home or abroad could admit of it ; but I shall
‘ never be for exposing the peace of my country,
‘ and the safety of my fellow subjects, to inva-
‘ sions and insurrections, for the sake of saving
‘ the expence of keeping up 5 or 6000 regular
‘ troops. Therefore, considering the great num-
‘ ber of regular troops kept up by every one of
‘ our neighbours, and the present universal de-
‘ generacy and neglect among our people, with
‘ respect to arms and military discipline, I shall
‘ always be extremely cautious of agreeing to any
‘ reduction, unless I think we are in a state, not
‘ only of the most profound tranquillity, but of
‘ the most certain and apparent security ; which I
‘ shall never think, as long as it requires so much
‘ art, and such a power of eloquence, as the
‘ noble Lords, who have spoke upon the other
‘ side of the question, have made use of, for
‘ shewing, that this is our happy state at pre-
‘ sent.

‘ The very question now under our considera-
‘ tion, my Lords, must convince us, that we shall
‘ always be under a necessity of keeping up some
‘ certain number of regular troops ; for the noble
‘ Lord who made the motion, and the noble
‘ Lord

‘ Lord who has spoke in favour of it, have en-
‘ deavoured to shew, that we are now in as great
‘ tranquillity and security, as we can ever here-
‘ after be supposed to be in ; from whence I must
‘ conclude, that even they are, and, indeed,
‘ every gentleman must be, of opinion, that it
‘ will always be necessary for us to keep some
‘ regular troops in pay. This, I say, my Lords,
‘ is a necessity we must always be under, as long
‘ as the far greatest part of our people apply
‘ themselves so much to arts and industry, as to
‘ neglect entirely the breeding themselves up to
‘ arms and military discipline ; and this will al-
‘ ways be our case, as long as we are an industri-
‘ ous, trading, and consequently a rich people ;
‘ for from all histories we may observe, that the
‘ most warlike people have generally been the
‘ most idle, and of course the most destitute of
‘ riches. That military force, therefore, which is
‘ necessary for protecting us against our foreign
‘ and domestick enemies, must, while we remain
‘ in our present circumstances, consist in the re-
‘ gular troops we keep in continual pay ; and
‘ the number of those troops ought always,
‘ as I have said, to be in proportion to the dan-
‘ ger we happen to be in at the time. As to the
‘ danger we are now in from foreign enemies,
‘ I shall freely own, my Lords, that, considering
‘ our superiority at sea, if we were in no danger
‘ from domestick enemies, a less number of re-
‘ gular troops than we have at present, might be
‘ sufficient to guard us against invasions ; because
‘ a less number would be able to defeat any inva-
‘ sion, that could be made upon us suddenly and
‘ unawares, if we were sure they would not be
‘ joined by any great number of our own people ;
‘ therefore, I think it unnecessary for me to en-
‘ deavour to answer those arguments, the noble
‘ Lords have made use of, for shewing, that we
‘ are

‘ are at present in no danger from abroad: I shall
‘ endeavour to answer those arguments only,
‘ which they have made use of, for shewing, that
‘ we are in no present danger from our domestick
‘ enemies; and, if I can shew that we are now
‘ in some danger from our domestick foes, I must
‘ observe, that, while we are so, we can never
‘ be in an absolute security against foreign danger;
‘ for that security, which is founded upon the
‘ seeming resolutions of foreign princes, or the
‘ serene countenance of foreign courts, is a secu-
‘ rity we ought never to depend on.

‘ My Lords, it is the danger we are in from
‘ our domestick enemies, that makes me against a
‘ reduction of our army; it is this that enhances
‘ every foreign danger we can apprehend, and
‘ makes that seem probable which would other-
‘ wise be impossible. The noble Lord, who
‘ spoke last, was pleased to make a distinction
‘ between disaffection and dissatisfaction, which
‘ at other times, or under other governments,
‘ might be a just distinction; but, I cannot allow,
‘ that it is applicable to our people under the pre-
‘ sent government. When a government is pur-
‘ suing wrong measures, when those in power are
‘ grasping at more than they ought to have by
‘ our constitution, or committing acts of violence
‘ and oppression, the people have reason to be
‘ dissatisfied; and in that case, there is no re-
‘ moving the dissatisfaction, but by a change of
‘ measures, and bringing those to condign punish-
‘ ment, who were the authors of that dissatisfac-
‘ tion: But under our present government, no
‘ measures have been pursued, but what have
‘ been approved of by Parliament; no encroach-
‘ ments have been made upon the liberties of the
‘ people; no acts of fraud or oppression have
‘ been committed, at least none such have been
‘ patronized or countenanced by our government;

‘ therefore, if there be any amongst us that ap-
‘ pear discontented, it must proceed from disaf-
‘ fection, or from private resentment, perhaps
‘ from a resentment founded upon their having
‘ been refused, what it would have been impru-
‘ dent or unjust in our government to have grant-
‘ ed, or upon their not being indulged in things
‘ that are inconsistent with our constitution, or
‘ with the peace and happiness of society; and that
‘ discontent which proceeds from such a resent-
‘ ment, or, indeed, from any resentment of a pri-
‘ vate nature, I cannot call by so soft a name as
‘ that of dissatisfaction: I must call it sedition;
‘ and the only way of guarding against sedition,
‘ is to enable our government to prevent its being
‘ in the power of the seditious to do mischief.
‘ As a certain number of regular troops must be
‘ kept up; as no number of regular troops kept
‘ up according to our present method can be of
‘ dangerous consequence to our constitution, or in
‘ the least contrary to Revolution principles; and,
‘ as no greater number of such troops has ever
‘ been kept up, than what was thought necessary
‘ by both houses of Parliament; therefore, the
‘ keeping up of such a numerous army, could
‘ never afford matter of discontent to any man,
‘ who has nothing in view, but the good of his
‘ country, and the preservation of our present
‘ happy establishment.

‘ If there were no discontents in the nation,
‘ but what proceeded from a just dissatisfaction,
‘ I am sure there could be none, and, in that
‘ case, I should be for the reduction proposed;
‘ but, my Lords, there are great and general
‘ murmurings and discontents in the nation, and
‘ all those murmurings and discontents proceed
‘ originally, I believe, from disaffection and se-
‘ dition. It is the disaffected and the seditious,
‘ my Lords, that magnify every accidental misfor-
‘ tune

‘ tune we meet with, that misrepresent the most
‘ prudent measures the government can take,
‘ and that instil into the minds of the people
‘ such notions of liberty, as are inconsistent with
‘ society. Power, I shall grant, my Lords, is
‘ apt to exceed its bounds, and may deviate into
‘ oppression; but, I hope, it will be granted,
‘ that liberty is likewise apt to exceed its just
‘ bounds, and may deviate into licentiousness.
‘ When the former happens to be the case, it is
‘ then high time to think of clipping the wings
‘ of those in power, by reducing our army; but
‘ when the latter happens to be our case, will
‘ any man say it is then a proper time to tie up
‘ the hands of those in power, or to weaken the
‘ only effectual curb our government has for re-
‘ straining the licentious? This is our unfortunate
‘ case at present: By the audaciousness of the
‘ disaffected and the seditious, and by the lenity
‘ of our laws, as well as of those in power, there
‘ is such a spirit of licentiousness spread among
‘ the lowermost sort of our people, that, I be-
‘ lieve, nothing could command their obedience
‘ to the laws of their country, but the regular
‘ troops we keep in pay; and when the people
‘ are ripe for an insurrection, who knows but
‘ some foreign power may, at an unawares, throw
‘ in a few troops amongst us, in order to set that
‘ spirit in a flame, which is now smothered by
‘ our having a sufficient number of regular troops
‘ in every corner?

‘ I hope, my Lords, I need not take up your
‘ time with giving you any examples of the li-
‘ centiousness, that now reigns among the lower-
‘ most sort of our people. The great counte-
‘ nance and protection the smugglers meet with,
‘ in every corner of the kingdom, from the com-
‘ mon people, and I wish I could not say, from
‘ some of a superior rank; the many mobs and

‘ riots that have happen’d on account of turnpikes;
‘ and the unaccountable opposition that has been
‘ made to one of the best and most necessary laws
‘ that was ever enacted, I mean the law against
‘ retailing spirituous liquors; must convince eve-
‘ ry man, that there is such a spirit of licentious-
‘ ness among the vulgar, as can neither be cor-
‘ rected nor restrained by the civil power, with-
‘ out the assistance of regular troops; and as this
‘ spirit of mobbing is spread over the whole king-
‘ dom, as mobs and tumults are always most
‘ hurtful and most dangerous to the best sort of
‘ people, and to the most worthy and most dili-
‘ gent magistrates, they might do infinite and ir-
‘ reparable damage, if there were not a body of
‘ regular troops, in or near every place where
‘ any such can happen: As these troops are al-
‘ ways near at hand, and ready to march to the
‘ assistance of the civil magistrate, though they
‘ cannot entirely prevent mobs, yet it is certain
‘ they render them less frequent, and prevent
‘ their doing the mischief they would otherwise
‘ do. This is an advantage now enjoyed in eve-
‘ ry part of the kingdom; whereas, if we make
‘ the reduction proposed, we may still perhaps
‘ enjoy it here about *London*, but a great many
‘ country places must be left entirely destitute of
‘ troops, and consequently the better sort of peo-
‘ ple left a prey to a licentious and unruly popu-
‘ lace.

‘ For this reason, my Lords, if there were no
‘ other, I must be against making a reduction of
‘ our army, and shall be against it, as long as
‘ the present licentious spirit prevails among the
‘ meaner sort of our people; for whatever regard
‘ former mobs may have shewn to the illustrious
‘ Family upon the throne, whatever regard they
‘ may have shewn to the lives or properties of
‘ their fellow subjects, as they have been, and
‘ always

‘ always will be, spirited up by, and much under
 ‘ the government of the disaffected and seditious,
 ‘ if any future mob should come to such a head
 ‘ as to deserve the name of an insurrection, I am
 ‘ afraid they would shew no great regard, either
 ‘ to the liberties or properties of their fellow sub-
 ‘ jects, or to our present happy establishment;
 ‘ and therefore, if the present question had been
 ‘ moved by any gentleman of mean circumstan-
 ‘ ces, or by one who could be suspected of dis-
 ‘ affection or sedition, I should have answered
 ‘ him in the words of *Cato* to *Julius Cæsar*, on
 ‘ occasion of the *Catiline* conspiracy. *Quasi vero*
 ‘ *mali, atque scelesti tantummodo in urbe, & non per*
 ‘ *totam Italiam sint; aut non ibi plus possit audacia,*
 ‘ *ubi ad defendendum opes minores sunt. Quare va-*
 ‘ *num equidem hoc consilium est, si periculum ex illis*
 ‘ *metuit. Sin in tanto omnium metu solus non timet;*
 ‘ *eo magis refert, me mibi, atque vobis timere.*

‘ I hope, I have now shewn, my Lords, that
 ‘ we are at present in great danger from our do-
 ‘ mestick enemies, that this danger must always,
 ‘ while it lasts, render our security against foreign
 ‘ danger precarious, that we have no way of
 ‘ guarding against either of these dangers, but
 ‘ by keeping up a body of regular troops, and
 ‘ that the number we now keep up, is the least
 ‘ that can at present be supposed sufficient for
 ‘ this purpose. I know it may be said, that we
 ‘ have our militia to trust to, and that our militia
 ‘ will generally be sufficient to guard us against
 ‘ insurrections at home, and against all such in-
 ‘ vasions as can be made upon us from abroad.
 ‘ My Lords, there is no man has a better opinion
 ‘ than I have of the courage of our men in ge-
 ‘ neral: I know they have strength and agility
 ‘ superior to most of their neighbours, and cou-
 ‘ rage sufficient for enabling them to make a
 ‘ proper use of their natural strength and agility;

‘ therefore, man to man, I could trust to them
‘ against any equal number of troops in the
‘ world: But personal courage, strength and agi-
‘ lity, without military discipline, are of little
‘ signification in an army. If every man in your
‘ army does not know how to obey the word of
‘ command, in an exact and regular manner, in
‘ the day of battle, your army must go in confu-
‘ sion; and in such a case, the personal courage
‘ of the men does but increase the slaughter; for
‘ after an army is once put in confusion, the most
‘ courageous must trust to his heels for his safety,
‘ or die by the sword of that united force that
‘ attacks him. This is the cause of that inequa-
‘ lity which has always been found between mili-
‘ tia and regular troops; and for this reason, we
‘ can never depend upon our militia, when regu-
‘ lar troops are brought against them. Even in
‘ the late rebellion, we found we could put no
‘ trust in our militia, though no regular troops
‘ were then brought against them. The militia,
‘ we know, did us little or no service, upon that
‘ occasion, in any part of the kingdom, which is
‘ a fact so notorious, that I am persuaded it will
‘ not be denied; but, if it were, it could easily
‘ be confirmed by a noble Lord now present,
‘ who had the principal share in suppressing that
‘ rebellion.

‘ From hence we may see, my Lords, that our
‘ militia is what we can put no trust in for de-
‘ fending us against invasions; and with regard
‘ to our defence against mobs and insurrections,
‘ I am sure, whilst the present spirit of licentious-
‘ ness prevails, our militia can be of no service,
‘ because our militia is chiefly composed of that
‘ sort of men, who at present, instead of oppo-
‘ sing, would probably join with any mob or in-
‘ surrection that might happen. Then with re-
‘ spect to the execution of our laws against smug-
‘ glers,

‘ glers, destroyers of turnpikes, and retailers of
‘ spirituous liquors, I must desire your Lordships
‘ would consider, how it would be possible to
‘ prevent or punish any one of these grievances,
‘ if we had nothing but our militia to trust to.
‘ Can it be supposed that the militia of any county
‘ upon the sea coast would oppose, much less
‘ venture their lives in apprehending smugglers;
‘ when it is well known, that there is hardly one
‘ man of mean circumstances in any of those
‘ counties, and of such your militia must always
‘ chiefly consist, but what is concerned, or has a
‘ brother, a son, or some near relation, or inti-
‘ mate friend, concerned in such practices? The
‘ case is the same with regard to those counties
‘ where the turnpikes have been destroyed, and
‘ will always be the same, I believe, in every
‘ county where such offences shall happen to be
‘ committed; and I am convinced no man ex-
‘ pects, that our militia would protect one who
‘ had informed against a retailer of spirituous li-
‘ quors, or that they would rescue him from the
‘ hands of a licentious and cruel mob: On the
‘ contrary, I believe, they would join with the
‘ mob, and would assist them in all the outrages
‘ and cruelties they commit upon such occasions.
‘ It would be impossible for the civil magistrate,
‘ or the officers of the militia, to command their
‘ obedience in any of the cases I have mentioned;
‘ for when the people in general are so licentious,
‘ as to contemn and despise the laws of their
‘ country, we cannot well expect, that our mili-
‘ tia would shew any regard to the authority of a
‘ civil magistrate, or that they would obey the
‘ commands of their officers.

‘ Thus, my Lords, I have shewn, that our mi-
‘ litia cannot, at present, be depended on for de-
‘ fending us against invasions, insurrections, or
‘ tumults; nor for assisting the civil magistrate in

‘ the execution of our laws : But your Lordships
‘ will perhaps say, that our militia may, by pro-
‘ per regulations and due care, be made as well
‘ acquainted with military discipline, as any re-
‘ gular troops, and that those laws, which are
‘ found to be disagreeable to the people in gene-
‘ ral, may be so altered, or such new laws made
‘ in their room, as may be so agreeable, that
‘ most men in the kingdom will concur in seeing
‘ them duly put in execution. My Lords, when
‘ such regulations are made, and are found to be
‘ effectual, it may be a good argument for re-
‘ ducing, perhaps disbanding, our regular troops;
‘ but, surely, the possibility of doing such things
‘ can be no argument for an immediate reduction.
‘ Whether they are possible or not, is what I
‘ shall not now take upon me to determine; but
‘ I have a great suspicion, that no regulations
‘ you can make will be found to be effectual for
‘ these purposes. As to the militia, I do not
‘ think you can ever get men to spend as much
‘ of their time, as is necessary for making and
‘ continuing themselves masters of military disci-
‘ pline, when they themselves see no necessity
‘ for so doing, unless you pay them for that part
‘ of their time they bestow in that way. If you
‘ pay them, it will cost you as much as the regu-
‘ lar army you now maintain, and it will be as
‘ great a loss to the publick, by the loss of their
‘ labour, during the time they are employed in
‘ military exercises; because, if you put your
‘ whole trust in your militia, you must have, at
‘ least, three times the number of the regular
‘ troops you now keep in daily pay. And then,
‘ with respect to the laws which are now found
‘ to be disagreeable, I am afraid no regulations
‘ you can make, will ever be agreeable, if they
‘ are effectual for the end proposed; for few men,
‘ now-a-days, have so much regard for the pub-
‘ lick,

‘ lick, as not to avoid paying those taxes, or im-
‘ posts, which are necessary for the publick ser-
‘ vice, as often as they can do it with safety;
‘ and, therefore, most men will think those laws
‘ severe, that enforce the payment of such taxes,
‘ and will be apt to favour those who assist them
‘ in getting free from the payment of them, and
‘ to oppose the officers who are employed in col-
‘ lecting them. With regard to the retail of
‘ spirituous liquors, it is the same: The drinking
‘ of such liquors is now become the favourite
‘ vice of the meaner sort of people; and though
‘ it evidently tends to the destruction of their
‘ health, as well as their morals, yet, I believe,
‘ they will always find fault with, and oppose the
‘ execution of any law that effectually prevents
‘ their indulging themselves in this favourite
‘ vice. From all which I must conclude, that
‘ the best method of securing ourselves against
‘ all dangers of a foreign or domestick nature,
‘ and the best method for executing those laws
‘ which are necessary for the good of the publick,
‘ is to keep such a number of regular troops, in
‘ daily pay, as may be sufficient for these pur-
‘ poses, according to the circumstances we may
‘ happen to be in at the time.

‘ This, my Lords, I confess, must always be
‘ an expence to the people, and must be greater
‘ or less according to the number of troops we
‘ keep in pay; therefore I shall always be for a
‘ reduction, when I think it can be made without
‘ subjecting the people to the danger of a much
‘ greater expence; but as I have observed, that
‘ reductions have generally been attended with in-
‘ vasions or insurrections; and as we are, upon such
‘ occasions, obliged not only to increase our own
‘ army, but to call in foreign auxiliaries, which
‘ puts the people to a much greater expence than
‘ they saved by the reduction, therefore, for the
‘ sake

‘ sake of the people, I shall never be for a re-
‘ duction, when I think there is the least danger
‘ of an invasion or insurrection; and I must think
‘ we are in danger of both, when there is such a
‘ spirit of disaffection, or dissatisfaction, or sedi-
‘ tion, call it which you will, as I find reigns in
‘ this nation at present. But besides the expence
‘ of calling in foreign troops, I must take notice,
‘ my Lords, that if an army of our own subjects
‘ can be of any dangerous consequence to our
‘ constitution, I am sure an army of foreign
‘ troops must be much more so. This is so true,
‘ that I believe no one instance can be shewn,
‘ where the liberties of a free people have been
‘ effectually, and irretrievably overturned, with-
‘ out the assistance of some foreign auxiliaries;
‘ for though it has sometimes happened, that the
‘ liberties of a country have been incroached on,
‘ or for a time suspended, by an army of their
‘ own people, yet it has generally, I may say al-
‘ ways, been found, that that very army restored
‘ their liberties as soon as they became sensible of
‘ the injury they had done their country; there-
‘ fore, I hope, all those who are real friends to
‘ the constitution, and liberties of this kingdom,
‘ will be against any measure, which may proba-
‘ bly give our government a handle for calling
‘ in foreign troops to their assistance; and as, in
‘ our present circumstances, this may probably,
‘ in my opinion, be the consequence of reducing
‘ our army, therefore I am certain no Lord, who
‘ thinks as I do, can give his assent to it.

‘ Whilst our army, my Lords, is composed
‘ wholly of our own countrymen, commanded by
‘ gentlemen of the best families and fortunes in
‘ the kingdom, and kept up only from year to
‘ year, by authority of Parliament, it can never
‘ be of dangerous consequence to our constitution,
‘ nor can it be so garbled as to be made to serve
‘ any

‘ any bad purposes. If any such attempts should
 ‘ be made, we shall always have it in our power
 ‘ to put a stop to such practices before they can
 ‘ produce the designed effect; but, I hope, the
 ‘ removing of two or three gentlemen from their
 ‘ posts in the army, and putting others of as
 ‘ good and as undoubted characters in their room,
 ‘ will not be called garbling the army; and,
 ‘ therefore, I am surprized to hear any late acci-
 ‘ dents of this kind taken notice of in this de-
 ‘ bate; for while you preserve your constitution,
 ‘ you must leave to the crown the absolute dis-
 ‘ posal of all commissions in the army; and if his
 ‘ Majesty has lately, in a few instances, made use
 ‘ of this power, he had certainly good reasons
 ‘ for what he did: He is no way obliged to give
 ‘ an account of his reasons to this house, nor have
 ‘ we any right to enquire into them. We ought
 ‘ not so much as to take the least notice of such
 ‘ removes, unless a considerable number of such
 ‘ had been made, and men of bad characters put
 ‘ in the place of those that had been removed.
 ‘ Then, indeed, it might be proper to think, not
 ‘ only of a reduction, but of a dissolution of our
 ‘ army; but as no such thing can now be com-
 ‘ plained of, or suspected, as our army is, I think,
 ‘ the only security upon which our present tran-
 ‘ quillity depends, and as it is, I think, but bare-
 ‘ ly sufficient for preserving that tranquillity,
 ‘ therefore I am against our making any reduc-
 ‘ tion.’

The next that spoke upon this question, was
 the Earl of *Westmorland*, the purport of whose
 speech was as follows, *viz.*

‘ My Lords,
 ‘ The only difference, I find, that has been
 ‘ assigned, and, indeed, the only difference that
 ‘ can

Earl of *West-*
morland's
 speech.

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p* "qz p"

‘ can be assigned, between an army kept up by
‘ a perpetual law, and an army kept up by an an-
‘ nual bill, is, that, in the latter case, we may
‘ refuse our consent to the continuing of the ar-
‘ my, if it should, at any time, appear, that
‘ the keeping up of such an army is unnecessary,
‘ or if it should, at any time, appear, that some
‘ attempts have been made to make a bad use of
‘ that army. Now, my Lords, I think, one of
‘ the worst uses that can be made of an army, is,
‘ to make gentlemens commissions in the army
‘ serve as a handle for subjecting them to the ar-
‘ bitrary will of a court, or favourite minister ;
‘ because, if such an use should ever be made of
‘ your army, it will of course contribute not a
‘ little towards destroying the only difference
‘ that can be assigned, between an army kept up
‘ by a perpetual law, and an army kept up by an
‘ annual bill. If an ambitious or guilty minister
‘ should get it signified to all those gentlemen of
‘ the army, who have the honour to be mem-
‘ bers of either house of Parliament, that if they
‘ did not vote according to his directions, they
‘ should be turned out of the army, and their
‘ subsistence taken from them ; if he should even
‘ make some examples, in order to shew that he
‘ is in earnest ; I must ask gentlemen, if this
‘ would not greatly tend towards giving that
‘ minister a majority, upon which he could de-
‘ pend, in each house of Parliament? If he should
‘ go farther: If he should get it signified to all
‘ the officers of the army, from the corporal to
‘ the general, that they should be disappointed in
‘ their preferment, unless they made use of all
‘ their interest at elections, in every corner where
‘ they could procure any, in favour of the can-
‘ didate recommended to them by him ; and if
‘ he should, in this likewise, make some exam-
‘ ples,

‘ ples, for shewing that he is in earnest; would
‘ not this contribute greatly towards his being
‘ always able to procure a majority of his own
‘ creatures being chosen members of the house of
‘ Commons? And if this should ever happen to
‘ be our case, I should be glad to know the dif-
‘ ference between an army kept up at the plea-
‘ sure of the crown, by a perpetual law, and an
‘ army kept up at the pleasure of the crown, by
‘ an annual bill, to be passed in a Parliament,
‘ that would never refuse to do any thing the
‘ court or minister should desire.

‘ I am far from saying, my Lords, that any
‘ such attempts, or any such examples, have been
‘ lately made: I have stated the case in this light,
‘ only to examine that doctrine, which has been
‘ laid down by the noble Lord that spoke last.
‘ The noble Lord was pleased to tell us, that the
‘ absolute disposal of all commissions in the army
‘ is, by our constitution, vested in the crown:
‘ That when the King makes any extraordinary
‘ use of this power, he is not obliged to give his
‘ reasons, nor have we any right to enquire into
‘ them; and that when any removes are made,
‘ they ought not to be so much as mentioned in
‘ this house, unless a great number should be
‘ made at a time, and persons of a bad character
‘ put in the room of those turned out. I am
‘ glad his Lordship was pleased to leave us some
‘ power of controul; but, I shall presently shew,
‘ that the power he has left us, if we had no
‘ greater, would be altogether ineffectual for pre-
‘ venting the mischief I have mentioned. Now,
‘ my Lords, I shall grant, that by the present
‘ establishment of our army, his Majesty has an
‘ absolute power to dispose of all commissions in
‘ the army, and to turn gentlemen out of their
‘ commissions, whenever he has mind. This
‘ is, at present, one of the prerogatives of the
‘ crown;

‘ crown; but this, like all other prerogatives,
‘ though it be absolute, it is not arbitrary: It is
‘ subject to the controul of Parliament; and, if
‘ any King of this realm should make a bad use
‘ of this prerogative, but in one instance, the
‘ Parliament may enquire into it, and may send
‘ those that advised it, not only to the Tower,
‘ but to Tower-hill. To tell us that we have no
‘ power to enquire into the reasons of any re-
‘ moves, unless a great number should be made
‘ at a time, and persons of a bad character put
‘ in the room of those turned out, is to tell us,
‘ we have no power at all; for, if a minister
‘ should dare to make a great number of removes
‘ at a time, he would take care to make such a
‘ number, as should put it out of the power of
‘ Parliament to take notice of any of them; and
‘ as to the character of the persons put in the
‘ room of those turned out, a man may be of a
‘ good character in private life, he may even be
‘ of a good character as a soldier, and yet may
‘ not have resolution enough to risk his commis-
‘ sion, by voting in Parliament, or giving his in-
‘ terest at elections, contrary to the directions, or
‘ known sentiments of a minister; especially, if
‘ he be a man who has not otherwise a competent
‘ subsistence, according to that method of living
‘ he has led himself into; and still, more especi-
‘ ally, if it be at a time, when he sees several
‘ recent examples for convincing him that his
‘ commission is at stake. Therefore, if we had,
‘ in this respect, no greater power than what the
‘ noble Lord has been pleased to vouchsafe, the
‘ army might be made a handle, for procuring
‘ to a minister a continual and certain majority,
‘ in both houses of Parliament, without its being
‘ in the power of Parliament to prevent, or put
‘ a stop to any such attempts.

‘ In

‘ In this country, in all countries, nay, my
‘ Lords, in the most arbitrary countries, a gen-
‘ tleman’s commission in the army is reckoned a
‘ provision for life; and it is reasonable it should
‘ be so; for when a gentleman, from his youth,
‘ attaches himself to the business of a soldier, and
‘ for that end neglects every other business by
‘ which he might have got a livelihood, or ad-
‘ vanced himself in the world, the commission
‘ he acquires by his conduct and courage, or by
‘ his long and faithful services, perhaps with the
‘ loss of a great deal of his blood, and even some
‘ of his limbs, ought to be a provision for life.
‘ It is a property which ought not, which cannot
‘ justly be taken from him, unless he forfeits it
‘ by some civil or military crime. And if to this
‘ we add the title of purchase, if a gentleman
‘ bestows the fortune given him by his parents or
‘ relations, upon the purchase of a commission,
‘ and makes that purchase with the connivance,
‘ perhaps in some measure with the countenance,
‘ of the court, surely it is an additional argument
‘ for shewing, that his commission ought not to
‘ be taken from him at the arbitrary will of a
‘ court, or upon the false and sly insinuations of
‘ a favourite minister. This would be making
‘ an unjust use of the prerogative of the crown,
‘ and consequently an abuse which ought to be
‘ enquired into by this house. But if an officer’s
‘ commission should be taken from him for not
‘ voting in Parliament, or at elections, according
‘ to the directions he may privately receive from
‘ a minister, or for not shewing a mean and dis-
‘ honourable complaisance for a court favourite,
‘ it would be an abuse of prerogative, that would
‘ be not only unjust but dangerous; and there-
‘ fore, would more highly deserve the notice of
‘ this house.

‘ My

‘ My Lords, it is impossible to suppose, that
‘ any gentleman ever will be turned out of his
‘ commission in the army without any reason,
‘ secret or revealed; and therefore, when a gen-
‘ tleman of good character, both in his civil and
‘ military capacity, is dismissed, without any rea-
‘ son assigned, the world will suppose it was for
‘ reasons that cannot be owned: They will sup-
‘ pose it was for some of the reasons I have men-
‘ tioned: They will from thence conclude, that
‘ this house ought to enquire into it; and if we
‘ do not, the reproach will lie at our door; for
‘ which reason, if we have a due regard to our
‘ own characters, which must always depend up-
‘ on the opinion of the publick, we ought to en-
‘ quire into every such removal or dismissal. If
‘ it was made upon unjust grounds, we shall do
‘ justice to the person injured, and vindicate our
‘ own characters by punishing the advisers; if it
‘ was made upon just grounds, we shall undeceive
‘ the people, and vindicate the crown.

‘ As to the late removes that have been made,
‘ whether we ought to enquire into all or any of
‘ them, is what I shall not take upon me to de-
‘ termine; but, my Lords, whatever may have
‘ been the true reasons, they have raised, I am
‘ sure they must raise, a general suspicion among
‘ the people. Some gentlemen have lately been
‘ turned out of their commissions in the army,
‘ who cannot be so much as suspected of disaffec-
‘ tion, because they have ventured their lives for
‘ the support of our present establishment; nor
‘ can they be accused of having ever been guilty
‘ of the least fault, or of having been liable to
‘ the least reproach, either in their civil or mili-
‘ tary capacity, so far at least as is publickly
‘ known; and yet their commissions in the army,
‘ their military property, I may call it, has been
‘ taken from them, without any trial, without
‘ any

‘ any reason assigned. His Majesty had certainly
 ‘ good reasons for what he did; but, as his Ma-
 ‘ jesty must often hear by means of other peoples
 ‘ ears, and see by means of other peoples eyes,
 ‘ the world will, I am afraid, conclude, that his
 ‘ Majesty’s reasons and those of some of his mi-
 ‘ nisters were extremely different. They will
 ‘ conclude, that his Majesty’s reasons were found-
 ‘ ed upon misrepresentations, which it is impossi-
 ‘ ble for him to discover, but which might be
 ‘ easily discovered, if they were freely and im-
 ‘ partially enquired into in a parliamentary way.

‘ I know, my Lords, that what I say upon this
 ‘ occasion will be reported in another place, not
 ‘ in the manner I speak it, for if it were, I could
 ‘ not, from any thing I have said, or shall say,
 ‘ incur the least displeasure; but it will be misre-
 ‘ presented, and the most invidious turn given
 ‘ to it that can be invented. I have been already
 ‘ served so: What I said upon a certain occasion
 ‘ last session, was misrepresented in another place
 ‘ ***** This is the treatment, my Lords, I
 ‘ have already met with; but I despise, I shall
 ‘ always despise such treatment: While I have
 ‘ the honour to sit here, I shall upon all occasions
 ‘ declare my sentiments decently, but freely, let
 ‘ the consequence be what it will. It is a duty I
 ‘ owe to my country: It is a duty I owe to my
 ‘ King; and it is the business of a foldier to die,
 ‘ rather than to desert, or to neglect his duty.

‘ To tell us, my Lords, that the crown, or the
 ‘ ministers of the crown; for in this house what-
 ‘ ever we say of the crown, must be supposed to
 ‘ be meant of the ministers of the crown; there-
 ‘ fore, I say, to tell us that the ministers of the
 ‘ crown may dispose of commissions in the army,
 ‘ and may turn gentlemen out of their commis-

* The Asterisks denote, that what was said had a tendency towards being personal, or of a private nature.

' sions, without any effectual controul from Par-
 ' liament, is a most dangerous doctrine. If this
 ' were established as an infallible rule, it is cer-
 ' tain that voting either at elections or in Parlia-
 ' ment, contrary to the directions given by a
 ' chief minister, would always be reckoned, and
 ' would be made a good reason for turning a
 ' gentleman out of his commission: It would be
 ' look'd on by all ministers as mutiny; and I do
 ' not know but in some future session, a clause
 ' might be added to the bill now before us, for
 ' punishing it as such. But without such a clause,
 ' the doctrine now advanced would be sufficient
 ' for making most of the officers of our army
 ' downright slaves to the ministers of the crown;
 ' for to an officer who has no other dependence,
 ' the loss of his commission is worse than the loss
 ' of his life. Without subjecting the officers of
 ' our army to the danger of being turned out of
 ' their commissions, at the arbitrary will of a mi-
 ' nister, they are, by other means, already too
 ' much exposed to his resentment. There are
 ' many other methods, by which a minister may
 ' make an officer suffer, besides that of taking his
 ' commission from him. I have myself, my
 ' Lords, experienced many inconveniencies from
 ' my not having had the good fortune, while I
 ' was in the army, of being in the good graces
 ' of a minister. Even at the treasury, there are
 ' methods for stopping and retarding the pay-
 ' ment of that money which is due to an officer,
 ' if he happens to be out of favour with the chief
 ' man at that board. Prosecutions and vexatious
 ' suits of several kinds may be set up against him.
 ' Such things, I say, may be done, and, I say so,
 ' because I know it by experience. I have had
 ' *****

' If our army, my Lords, were properly regu-
 ' lated, and both officer and soldier rendered as
 ' independent

' independent of ministers as other subjects are,
 ' I should perhaps find no fault with keeping it
 ' up, were it more numerous than it is; but from
 ' what I have said, it will appear, that as long as
 ' it continues under its present regulation, it will
 ' always be extremely dangerous for any officer
 ' to incur the displeasure of a minister; and as
 ' some late precedents may perhaps make officers
 ' believe, that their commissions depend upon a
 ' tenure very different from what they were for-
 ' merly thought to depend on, therefore, unless
 ' some new regulations are made, I shall always
 ' think a numerous standing army of the most
 ' dangerous consequence to our liberties; for
 ' which reason I shall always be for reducing it as
 ' much as possible; and as no danger nor incon-
 ' venience can ensue from the reduction now
 ' proposed, I think it ought to be agreed to.'

Lord *Bathurst* stood up next, and spoke to this effect, *viz.*

' My Lords,
 ' I was a little surprized to hear the least ob-
 ' jection made against the regularity of any thing
 ' said by the noble Lord that spoke last. * In
 ' my opinion, he neither said, nor attempted to
 ' say any thing but what was extremely proper,
 ' and what ought to have great weight in this
 ' debate; for if any means have been lately made
 ' use of, for making the officers of our army sub-
 ' servient to an administration, both in their civil
 ' and military capacity, it is high time for us to
 ' return to our antient constitution, which never

Lord *Ba-*
thurst's
speech.

* In both houses of Parliament, some rules for speaking are established, and no member is to be interrupted, unless he attempts to transgress these rules. If he does, any member may rise up, and object against his proceeding in that manner. This was twice the case with respect to some things said by the noble Lord, but the house allowed him to proceed in what he had begun.

‘ admitted of a standing army’s being kept up
‘ within this kingdom in time of peace. The
‘ noble Lord has, ’tis true, come but lately into
‘ this house; but he came, my Lords, by a very
‘ antient title, which makes his case very diffe-
‘ rent from those who come by a new title; for
‘ as those who come by an old title, have, from
‘ their infancy, a prospect of coming here, they
‘ may be supposed to have studied our methods
‘ of proceeding from their infancy; whereas no
‘ such supposition can be made in favour of those
‘ who come in by a new title. Accordingly, the
‘ noble Lord has, ever since he took his place,
‘ and particularly upon this occasion, shewn us,
‘ that he is perfectly acquainted with our forms
‘ and methods of proceeding. He began his
‘ discourse, by representing to us the danger of
‘ making gentlemens commissions in the army
‘ serve as a handle for subjecting them to the ar-
‘ bitrary will of a minister. He shewed us that
‘ this would be the case, if we should allow their
‘ commissions to be made precarious; and if he
‘ knew any other methods that might be used,
‘ or that had been used, for rendering the officers
‘ of our army subservient to an administration,
‘ was there any thing more proper, was there any
‘ thing more necessary, to be laid before us on
‘ this occasion? My Lords, what he said upon
‘ this subject was so far from being improper,
‘ that, I think, it highly deserves our considera-
‘ tion: It ought to be enquired into, before we
‘ give our opinion upon the present question,
‘ or at least before we pass the bill now under
‘ our consideration; for if any methods have
‘ been, or can be, made use of, for making an
‘ officer suffer, on account of what he says in this
‘ house, or on account of his not being in the
‘ good graces of a minister, we ought either to
‘ disband our whole army, or, in this bill, we
‘ ought

‘ ought to make such regulations as may prevent
‘ such practices for the future.

‘ After having said thus much with respect to
‘ order, I must beg leave, my Lords, to take
‘ notice of some things that fell from a noble
‘ Lord who spoke last but one. His Lordship
‘ was pleased to say, that in every country there
‘ must be a military force kept up, of some kind
‘ or other, that the military force kept up, ought
‘ to be sufficient for defending the people against
‘ invasions and insurrections, and that this mili-
‘ tary force must now, in this kingdom, always
‘ consist in a standing mercenary army, because
‘ of the disuse of arms and military discipline
‘ among the rest of our people. I shall grant,
‘ my Lords, that every country ought to be
‘ provided with a military force, of some kind or
‘ other, sufficient for protecting the country a-
‘ gainst foreign invasions, and the government
‘ against factious or seditious insurrections; but I
‘ am far from thinking it necessary to have that
‘ military force modelled into a mercenary stand-
‘ ing army, and if it were, I am far from think-
‘ ing, that army ought to be so modelled, as to
‘ be under a slavish subjection to the crown, or to
‘ any one man in the country.

‘ Suppose, my Lords, it were necessary for us
‘ to keep a standing army always in pay: Sup-
‘ pose we could contrive no other sort of military
‘ force, upon which we could depend, for pre-
‘ serving us from invasions and insurrections; yet
‘ I can see no reason for having that army under
‘ such regulations, as must keep both officers and
‘ soldiers under a sort of slavish submission to the
‘ crown, and consequently to him who happens to
‘ be the favourite minister at the time; which will
‘ be the certain consequence, if it should be once
‘ established as a maxim, that officers may be
‘ preferred, and even turned out of their com-
‘ missions,

‘ missions, at the arbitrary will of a minister.
‘ This gives a man such an arbitrary power over
‘ the army, that no society ought to grant it
‘ even in time of war; for it was this that
‘ enabled several *Roman* Generals to make use of
‘ the armies of their country, for conquering
‘ their country, and at last enabled *Julius Caesar*,
‘ by the same means, to subdue the liberties of
‘ his country. But to grant such a power in time
‘ of peace, is not only quite unnecessary, but ab-
‘ solutely inconsistent with the liberties of a free
‘ people; for as that army must in some measure
‘ be slaves to the crown, or rather to the ministers
‘ of the crown, it is not to be expected that they
‘ will long continue to have a regard for the
‘ liberties of the people; and if the army be suf-
‘ ficient for protecting the people, they must be
‘ sufficient for subduing and enslaving the people,
‘ as soon as their superiors shall give them the
‘ word of command.

‘ Our liberties and properties, my Lords, de-
‘ pend upon the laws of our country, but it is
‘ by the military force of the country only, that
‘ those laws can be made effectual; and if ever
‘ that military force should happen to fall under
‘ an absolute dependance upon those who have
‘ a mind to render our liberties and properties
‘ precarious, our laws will be of no significance.
‘ Our liberties and properties therefore depend, at
‘ least, as much upon the officers of our army,
‘ as they can do upon our judges. By expe-
‘ rience we know how precarious our liberties
‘ and properties were, whilst our judges de-
‘ pended upon the arbitrary will of ministers;
‘ can we expect they will be secure, as long as
‘ the officers of our army are subject to the same
‘ sort of mean and slavish dependance? By the
‘ act of settlement we took care to prevent, for
‘ the future, our judges from being under any
‘ such

‘ such dependance, by enacting that their com-
‘ missions should be *quam diu se bene gesserint*,
‘ and that their salaries should be established;
‘ and, if we must for ever hereafter keep up a
‘ certain number of regular troops, which I shall
‘ always call a standing army, I think it is abso-
‘ lutely necessary for us to make the same regula-
‘ tion with respect to the officers of that army.
‘ This, I say, my Lords, is absolutely necessary
‘ for the preservation of our liberties and proper-
‘ ties; and, if ever we do make such a regula-
‘ tion, I hope it will be made in such a manner,
‘ as to put it out of the power of our judges to
‘ weaken it, by any interpretation they can put
‘ upon it; for as they have, by their interpreta-
‘ tion, rendered their own commissions more pre-
‘ carious than the law, I am convinced, designed
‘ them, we can hardly expect they will shew
‘ a greater regard for the commissions of the offi-
‘ cers of our army.

‘ Whilst the commission of every officer of our
‘ army, lies at the mercy of an ambitious Prince
‘ or guilty minister, and how many Princes can
‘ be said not to be ambitious, how many ministers
‘ can be said to be innocent? I say, my Lords,
‘ whilst this is the case, we are exposed to the
‘ danger of having our liberties and properties
‘ taken from us, not only against law, but ac-
‘ cording to law; for as there are now, as there
‘ always must be a great many officers in both
‘ houses of Parliament, we can hardly expect
‘ that they will all either think or vote freely,
‘ when they know, that the loss of their com-
‘ missions must be the consequence of their think-
‘ ing, or voting, contrary to the sentiments of
‘ the prime minister. If this were the case, I
‘ believe few of them would make an enquiry
‘ about the right or the wrong of any question;
‘ the only enquiry would be, whether such a

‘ Lord, or such a member, seemed to approve
 ‘ of it; and the Prince or minister would always
 ‘ take care to have a proper beacon in each house
 ‘ of Parliament, for directing his officers how to
 ‘ avoid those shoals, upon which their commis-
 ‘ sions might be ship-wreck’d; by which means
 ‘ a guilty and rapacious minister might ride tri-
 ‘ umphant over our liberties and properties, or an
 ‘ ambitious Prince might get such laws passed, as
 ‘ would render both precarious.

‘ I must, upon this occasion, my Lords, in
 ‘ a particular manner, recommend the case of
 ‘ our officers to the consideration of the reverend
 ‘ Bench. None of them, I am sure, would vote
 ‘ against their conscience for any consideration;
 ‘ but, I hope, they will consider what difficulties
 ‘ a reverend Prelate would labour under, if it
 ‘ were in the power of a minister to strip him of
 ‘ his temporalities, in case he should, upon any
 ‘ occasion, take upon him to differ in opinion
 ‘ from the minister, and vote according to his
 ‘ own conscience. Thank God! the Prelates of
 ‘ our church are, by the law as it now stands,
 ‘ secured against being brought under such diffi-
 ‘ culties; and if they were not, I am persuaded,
 ‘ they would, in such a case, despise every earth-
 ‘ ly consideration; but, the officers of our army
 ‘ are, and always must be, but laymen; and
 ‘ therefore, they can never pretend to have such
 ‘ a contempt for the vanities of this world.

‘ The antient military force of this kingdom,
 ‘ my Lords, consisted in the bravery and disci-
 ‘ pline of our men in general, and the officers of
 ‘ our armies were such as neither depended upon
 ‘ the crown for their support, nor for their com-
 ‘ mands in the army. They were generally such
 ‘ as held their commands by their tenures, or
 ‘ such as were chosen by their respective counties.
 ‘ The chief command only belonged to the King,
 ‘ and

‘ and even in that, he was always obliged to
‘ depute some person, who was not only a man
‘ of great fortune, but of a good character in his
‘ country ; for, our armies, in those days, would
‘ not have submitted to the command of a man,
‘ who was suspected of being the mere tool of a
‘ court, It was by such armies that we defended
‘ ourselves against foreign invasions: It was by
‘ such armies that we defended ourselves against
‘ court favourites, and thereby preserved our liber-
‘ ties. What we now call our militia, under the
‘ command of the King’s lieutenants, is but a late
‘ invention ; which was never authorized by Par-
‘ liament till after the Restoration, when every
‘ thing, that could any way be pretended to as a
‘ prerogative of the crown, was agreed to and
‘ confirmed by Parliament.

‘ Our militia was then, ’tis true, my Lords,
‘ put under the absolute direction of the crown,
‘ but at the same time, it was put under such re-
‘ gulations, as have made it as useless as it is
‘ harmless ; which really seems to have been the
‘ design of some of those who were the contrivers
‘ of that scheme: They seem to have foreseen,
‘ that the militia they were then about to esta-
‘ blish, would be useless, and therefore, the isles
‘ of *Purbeck* and *Wight*, which are the places
‘ most exposed to invasions, were excepted out of
‘ the act, and continued upon their antient foot-
‘ ing. Whether the establishing our militia in
‘ such a manner, as to render it useless, was con-
‘ trived by the court, with a design to make
‘ standing armies necessary, or if it was contrived
‘ by the true lovers of liberty, because they could
‘ not stem the torrent, which was then so strong,
‘ for granting the King an absolute power over
‘ the militia, I shall not pretend to determine ;
‘ but this I will pretend to foretel, that if the
‘ whole military force we provide for our defence
X 4 ‘ against

‘ against invasions and insurrections, be put under
‘ an absolute subjection to court favourites, they
‘ may for some time defend us against invasions
‘ and insurrections, but we cannot expect that
‘ they, who are themselves slaves, will defend
‘ our liberties against the incroachments that may
‘ hereafter be made upon them by ministers and
‘ court favourites. For this reason, if a standing
‘ army be now the only military force we can
‘ trust to, and therefore a sort of military force
‘ which must always hereafter be kept subsisting,
‘ we ought to make it as independent as that mi-
‘ litary force was, which for many ages was the
‘ bulwark of our liberties and properties, against
‘ domestick as well as foreign invaders.

‘ But I am far from thinking, my Lords, that
‘ it is necessary for us to keep a standing army
‘ always in pay, or that we can contrive no mili-
‘ tary force, upon which we may depend for pre-
‘ serving us from invasions and insurrections. It
‘ is the keeping up of such an army that has
‘ made the disuse of arms, and neglect of mili-
‘ tary discipline, so general among our people.
‘ While you keep up such an army, it will be the
‘ business of courtiers, and of all those concerned
‘ in the army, to prevent the people’s providing
‘ themselves with arms, or breeding themselves
‘ up to military discipline; whereas, if you dis-
‘ band your army, or a great part of it, not only
‘ our courtiers, but all those gentlemen, who are
‘ now concerned in the army, will be forced to
‘ join in such measures, as may be effectual for
‘ encouraging all the men in the kingdom, or at
‘ least all freeholders, farmers, and substantial
‘ merchants and tradesmen, to provide themselves
‘ with arms, and to breed themselves up to
‘ military discipline. It is, in my opinion, not at
‘ all impossible, to make it as infamous for a man
‘ to be unprovided with arms, or unacquainted
‘ with

‘ with military discipline, as it is now for a gen-
‘ tleman to get the character of a notorious
‘ coward: Nor would this interrupt or diminish
‘ the labour and industry of any man in the
‘ kingdom; for even the most industrious might
‘ make themselves thoroughly acquainted with
‘ the use of arms, and with military discipline,
‘ if they would but spend one half of that time
‘ in military exercises, which they now throw
‘ away in idle and effeminate, or expensive and
‘ criminal diversions; and this method of passing
‘ away our leisure hours, might easily be intro-
‘ duced even among the vulgar, if our courtiers
‘ and men in authority should once begin to
‘ make this their practice, and that practice
‘ should be followed, as it certainly would, by
‘ all the nobility and gentry of the kingdom.

‘ This custom or fashion, my Lords, might
‘ be regulated, and even enforced, by proper
‘ laws for that purpose; and by such methods
‘ the whole militia of the kingdom might, in a
‘ few years, be made as good soldiers, as any
‘ regular mercenary troops that had never been
‘ in action; for even a regular army kept in
‘ continual pay, after a peace of twenty or thir-
‘ ty years standing, are properly nothing but a
‘ well disciplined militia; and upon the first
‘ rencounter will generally be found inferior to
‘ veteran troops, who have been bred to action,
‘ and inured to danger; but it has always been
‘ found, that, after a little experience, a well
‘ disciplined militia become more resolute and
‘ obstinate than mercenary troops, and for this
‘ reason they have always at last come off con-
‘ querors, as appears from the histories of all
‘ wars that have been carried on between militia
‘ of one side, and mercenary troops of the
‘ other. The *Grecians* carried on their wars a-
‘ gainst *Persia*, by means of their militia; and at
‘ last

‘ last beat the numerous mercenary armies, and
‘ subdued the vast empire, of *Persia*: The *Ro-*
‘ *mans* carried on their wars against *Carthage*, by
‘ means of their militia; and at last beat the
‘ mercenary armies of *Carthage*, and destroyed
‘ that rich and populous city. But when the
‘ *Romans*, in order to support the arbitrary
‘ power of their Emperors, began to put their
‘ whole trust in mercenary armies, their military
‘ glory soon began to decline; and at last the
‘ *Goths* and *Vandals*, and other northern nations,
‘ by means of their militia, drove before them
‘ the mercenary armies of *Rome*, and made that
‘ proud city submit to the yoke, which she had,
‘ in former times, by the same means, put upon
‘ a great part of the world.

‘ From hence I must conclude, my Lords,
‘ that if ever the militia of one country proves
‘ inferior to the regular mercenary troops of
‘ another, it must proceed from some neglect
‘ of military discipline and exercises in the
‘ former, and not from the nature of things.
‘ It is to a neglect of this kind, that we ought
‘ chiefly to impute the great success *Hannibal* at
‘ first met with in *Italy*; for the best *Roman*
‘ historian takes notice, that their affairs were
‘ never in a more slothful and effeminate con-
‘ dition, than they were at the beginning
‘ of the second *Punick* war; and to the same
‘ sort of neglect we ought to impute the
‘ superiority, which regular mercenary troops
‘ are now found to have over the militia
‘ of every country in *Europe*; because, in all
‘ countries, where regular troops are kept in
‘ continual pay, the people will neglect to
‘ breed themselves up to arms and military
‘ discipline; and the government, especially if
‘ it be a monarchy, will industriously propa-
‘ gate that neglect. Therefore, the neglect

‘ of military discipline among our people, in
‘ this country, is so far from being an argument
‘ for keeping up our army, that it is a strong ar-
‘ gument for disbanding it, and for our applying
‘ ourselves seriously towards reviving that war-
‘ like spirit among our people in general, which
‘ was in former ages not only our defence but our
‘ glory. How this is to be done, I shall not
‘ now pretend to determine; but several methods
‘ might be contrived for this purpose. We had
‘ formerly a court of chivalry, which, as the
‘ learned *Cook* observes, had cognisance of all
‘ matters relating to arms or war. I do not
‘ know, but that the reviving of that court, and
‘ putting it under proper regulations, might con-
‘ tribute to the reviving of that martial spirit,
‘ which formerly prevailed among our people in
‘ general. Or, instead of the bill now before us,
‘ which regards only our standing army, we
‘ might have some sort of martial law to take
‘ place at certain times, or upon certain occasions,
‘ and at those times, or upon those occasions, to
‘ comprehend all the men in the kingdom fit to
‘ bear arms. These, or some such regulations,
‘ might in a short time make our militia as good as
‘ regular troops; but without example, no laws or
‘ regulations can ever be effectual; and those in au-
‘ thority will never set an example, as long as they
‘ have such an army as we have at present to trust to.
‘ If all the men in the kingdom, or the great-
‘ est part of those who are fit for service, were
‘ as well disciplined, or but near as well discipli-
‘ ned, and as well provided with arms, as our
‘ regular troops now are, it must be granted, my
‘ Lords, that such a kind of military force,
‘ would be a better security against invasions and
‘ insurrections, as long as our government prefer-
‘ ved the affections of the people, than any regular
‘ army we can keep up; and the assistance of our
‘ militia,

‘ militia, would then be as effectual for enabling
‘ the civil magistrate to execute any laws that
‘ ought to be made, as the assistance of regular
‘ troops can be supposed to be; for even with re-
‘ spect to regular troops, if their commanding
‘ officer should order them to do what was dis-
‘ agreeable to a great majority of them, it would
‘ probably occasion a mutiny; the only difference
‘ therefore is, that where laws are to be executed
‘ by the militia, the government must take care
‘ to enact no laws, but such as are agreeable to
‘ the majority of the people; but where the laws
‘ are to be executed by a regular mercenary ar-
‘ my, and the people rendered effeminate and
‘ disarmed, for that purpose, the government has
‘ no occasion to consider the inclinations of the
‘ people, they consult only the inclinations of their
‘ army. It is a strange doctrine in a free country,
‘ my Lords, to say, that because some laws have
‘ been enacted, or some things have been done,
‘ that are disagreeable to the people, therefore a
‘ numerous standing army ought to be kept up,
‘ in order to compel the people to submit. This
‘ is a doctrine, my Lords, I shall never approve
‘ of: Even as to the drinking of gin, if it could
‘ be no way prevented but by a standing army,
‘ I should be for leaving the people in possession
‘ of that darling liquor, rather than attempt to
‘ bereave them of it by such means; for in that
‘ case, an army that could take gin from them,
‘ could likewise, and probably would, take their
‘ liberties from them also. But this is far from
‘ being the case: Take but proper methods, and
‘ every man in the kingdom will assist you in
‘ preventing the immoderate use of that, or any
‘ other sort of pernicious liquor. The morals and
‘ habits of a people, my Lords, are to be cor-
‘ rected by wholesome advice and good example,
‘ not by severe precepts and rigorous punish-
‘ ments.

ments. Let the better sort refrain from the immoderate use of spirituous liquors, and the meaner sort soon will. But, I am afraid you have taken the contrary method: You seem to indulge the rich in excess, while you punish the poor for the most moderate use; like some *Romish* priests, who sell indulgences for the highest crimes to those that can purchase them, but damn the poor for the most venial offences.

If any laws have been made, my Lords, which, by experience, we find, cannot be executed, without the assistance of a numerous standing army, they must be altered, and other methods taken for accomplishing that, for which they were intended. Do not let us make the people slaves, in order to make them sober: Do not let us ruin the people, for the sake of compelling them to pay their taxes, or to pay the turnpike-duties, which in some places, I believe, are more necessary for the support of luxury than for the convenience of the poor. The keeping up of a standing army in time of peace is not only expensive, but has always been deemed inconsistent with liberty, and of the most dangerous consequence, with respect to our present establishment. Mr. *Trenchard*, who, I believe, understood the nature of government in general, and of our constitution in particular, as well as any gentleman ever did, has left it as his opinion, *That the most likely way of restoring the Pretender, is maintaining a standing army to keep him out: And even that great man, Lord Somers, who is supposed to have wrote against Mr. Trenchard upon that occasion, and who was, in King William's time, one of the chief advocates for a standing army, declares, That any man who would pretend to give a jealousy of the nation to the King, and suggest that he could not be safe*
among

‘ among them, without he were environ’d with
‘ guards and troops, ought to be abhorr’d by every
‘ true Englishman, by every man who loves liberty
‘ and his country.

‘ From hence, my Lords, we may judge,
‘ what that noble Lord, were he now alive,
‘ would think of some of our present advocates
‘ for a standing army. I am persuaded he would
‘ think they had a greater concern for something
‘ else, than they had, either for the liberties of
‘ their country, or for the preservation of our
‘ present establishment; for, if he were now
‘ alive, I am convinced, he would be now as
‘ much against keeping up a standing army in
‘ time of peace, as he was for it in King *Wil-*
‘ *liam’s* time; because, there were then many ar-
‘ guments for it, which do not now subsist. Our
‘ army was then composed of men who had all
‘ of them ventured their lives, and many of
‘ them lost their blood, in the service of their
‘ country, so that we were in some measure
‘ obliged in gratitude to provide for them. There
‘ was then an ambitious and warlike Prince upon
‘ the throne of *France*, one who openly protect-
‘ ed and supported the Pretender to our crown,
‘ and one who had often shewn, that neither his
‘ treaties nor promises were to be depended on.
‘ The peace of *Europe* then visibly, and I may
‘ say certainly, depended upon the life of a
‘ Prince, I mean the King of *Spain*, who was,
‘ at that time, both old and infirm. And there
‘ was then a most numerous and powerful par-
‘ ty of professed *Jacobites* in the island.

‘ To all which, my Lords, let me add, that
‘ we are now above 30 *Millions* in debt more than
‘ we were, at that time, which ought to make
‘ us more cautious of subjecting the nation to any
‘ needless expence, than we had reason to be at
‘ that time; and, if we have the least regard
‘ for

‘ for the inclinations or satisfaction of the peo-
‘ ple, we ought to be more sanguine against
‘ keeping up a standing army by consent of Par-
‘ liament, than any man had reason to be, when
‘ this custom was first introduced. Some laws or
‘ regulations may, at first, appear harsh to the
‘ people, but if they be either necessary or con-
‘ venient, the people will, at last, perceive that
‘ necessity or convenience, and will then become
‘ fond of them. In King *William*’s time, some
‘ gentlemen might have supposed, that this would
‘ have been the case, with respect to the parlia-
‘ mentary sort of army, which was then propo-
‘ sed to be kept up; but no such thing can now
‘ be supposed; for after an experience of forty
‘ years, the people, we find, are as much averse
‘ to the keeping up of such an army, as they were
‘ at the beginning; and an experience of forty
‘ years is, I think, sufficient for convincing us,
‘ that the people will never become fond of
‘ keeping up a standing army in time of peace:
‘ They may be forced to submit to it; but that
‘ force will render them generally dissatisfied, and
‘ at last disaffected, which will render the securi-
‘ ty of our present establishment inconsistent with
‘ the security of our liberties or constitution; for,
‘ no nation can be said to be free, after a stand-
‘ ing army has become necessary for keeping the
‘ people in subjection.

‘ The noble Lord was pleased to say, my Lords,
‘ that no army could be called a standing army,
‘ but an army kept up by a standing law. If
‘ this were the case, there never was, I believe,
‘ a standing army in the world; I am sure there
‘ is no such army now in *Europe*; but, every
‘ one knows, that a certain body of men regular-
‘ ly disciplined, and kept in pay in time of peace
‘ as well as war, has always been called a stand-
‘ ing army. There is a very remarkable differ-
‘ ence

' rence between a standing law and a standing
 ' army. A standing law, though it was at
 ' first made perpetual, though it should be obser-
 ' ved for ages together, yet it cannot say to the
 ' legislature, You shall not repeal me; but an ar-
 ' my, though it was never designed to be per-
 ' petual, though it has been kept up but for a
 ' small number of years, may say to us, You
 ' shall not disband me, if you attempt to do so,
 ' I'll turn you out of doors. We know this by
 ' experience; and that experience may convince
 ' us, that an annual parliamentary check, such
 ' as it is pretended we now have, would be of
 ' very little signification against an army suffi-
 ' cient, and that army provided with a General re-
 ' solved, to make the Parliament do whatever
 ' he had a mind, *Oliver Cromwell*, and the ar-
 ' my under his command, were faithful to that
 ' Parliament which established them, as long as
 ' the Parliament did nothing to displease them;
 ' but as soon as the Parliament began to think of
 ' disbanding them, they immediately, and with-
 ' out any garbling, rebelled against the Parlia-
 ' ment, and at last turned it out of doors. And
 ' with a part of the same army, we may remem-
 ' ber, that General *Monk*, in a few months, and
 ' with but very little garbling, dissolved the rump
 ' Parliament, by whose authority he at first pre-
 ' tended to act, and restored King *Charles II.*

' From these examples we may conclude, my
 ' Lords, that it would be no very difficult mat-
 ' ter for an ambitious and artful Prince, with
 ' such a numerous army as we have at present,
 ' to overturn our constitution, by means of his
 ' army, before the Parliament could interpose
 ' that annual check, in which we are now taught
 ' to place so great a confidence; and I must ob-
 ' serve, that we are in greater danger from an
 ' ambitious Prince or General at the head of an ar-
 ' my

‘ my of our own subjects, than we can be in,
‘ from an invasion; for such an army, let their
‘ designs be never so bad, will always have a
‘ great many friends amongst, and will meet
‘ with great assistance from, our own people;
‘ whereas, if a foreign army should invade us, or
‘ be brought in, with a design to subdue us, our
‘ people would join to a man against such inva-
‘ ders; and while they enjoy their liberties and
‘ properties, they would certainly fight with great
‘ obstinacy and resolution, in defence of those
‘ liberties and properties. But if we should be
‘ long saddled with a numerous standing army,
‘ and the people continually dragooned into sub-
‘ mission, by means of that army, they will, at
‘ last, look upon themselves as slaves; and in
‘ that case, it may be easy for an invading enemy
‘ to conquer us; for, as the people will then
‘ consider, that they have neither liberty nor pro-
‘ perty to lose, they will think of nothing but of
‘ preserving their lives by submitting to the ene-
‘ my; nay, they will probably expect an ad-
‘ vantage from any change of circumstances, at
‘ least, they will think they have got an oppor-
‘ tunity for revenging themselves upon their for-
‘ mer oppressors; and therefore, instead of op-
‘ posing, they will join the invader.

‘ When there are so many, and so great dan-
‘ gers to be apprehended from keeping up a stand-
‘ ing army in time of peace, I must think the no-
‘ ble Lord made a very wrong application of the
‘ quotation he made from a celebrated *Roman* au-
‘ thor; for, in my opinion, my Lords, it is ap-
‘ plicable only to ministers and their favourites:
‘ If they are the only persons that fear nothing
‘ from a standing army, I am sure, this house
‘ and the whole nation, have the greater reason
‘ to fear. But now, my Lords, suppose there
‘ were no danger to be apprehended from keep-
‘ ing

' ing up a numerous standing army, and suppose
 ' we could contrive no other sort of military
 ' force, upon which we could depend for our de-
 ' fence against invasions or insurrections, yet it
 ' must be granted, that for the sake of the ex-
 ' pence, no greater army ought to be kept up
 ' than what is necessary; therefore we ought to
 ' agree to the reduction proposed; for, surely, an
 ' army of 12,000 men is now as sufficient for de-
 ' fending us both against invasions and insurrec-
 ' tions, as an army of 7000 was at the end of
 ' King *William's* reign; which was the number
 ' the army was then reduced to in *England*;
 ' and if to that number we add the regular
 ' troops then kept up in *Scotland*, the whole a-
 ' mounted not to 10,000 men; yet, notwith-
 ' standing the ticklish state of affairs in *Europe*
 ' at the time, this number was found so suffi-
 ' cient for protecting the whole island, that no
 ' invasion or insurrection was then so much as
 ' attempted.

' This shews how great a mistake it is to af-
 ' firm, that every reduction of our army has been
 ' followed by an intended invasion or insurrec-
 ' tion. My Lords, this is so far from being the
 ' case, that every invasion and insurrection we
 ' have lately had, or been threatened with, evi-
 ' dently appears to have been the effect of some
 ' discontents, that had been raised among our
 ' people, and those discontents have always been
 ' occasioned by some extraordinary, though per-
 ' haps necessary, measures, that were taken by
 ' our government. The designed invasion from
 ' *Dunkirk* in the year 1708, proceeded from the
 ' discontents that had been raised in *Scotland*, by
 ' the Union, which was, the year before, conclu-
 ' ded between the two nations. The insurrection
 ' in 1715 proceeded from the discontents that
 ' had been raised, by some measures that were
 ' taken

‘ taken upon his late Majesty’s accession; for, I
‘ am fully convinced, that, if the advice of a
‘ noble Lord had been taken, who died soon af-
‘ ter, and who was well known to have been a
‘ sincere and a true friend to the illustrious Fa-
‘ mily now upon our throne; I say, if his advice
‘ had been taken, if healing measures had been
‘ pursued, and former animosities forgot, upon
‘ his late Majesty’s accession, I am convinced, no
‘ such thing as an insurrection would have been
‘ so much as attempted; but other counsels pre-
‘ vailed, we know who were the authors of those
‘ counsels, they were certainly the most just and
‘ the most necessary, but they raised such discon-
‘ tents as made it easy for seditious men to spirit
‘ some of our people up to rebellion. The de-
‘ signed invasion from *Spain* in 1718, proceeded
‘ from the discontents that were then still reign-
‘ ing among our people: And the plot, or de-
‘ signed insurrection, in the year 1721, proceed-
‘ ed from the discontents that had been occasion-
‘ ed by the misfortunes and mismanagements in
‘ the execution of the *South-Sea* scheme, in the
‘ year 1720.

‘ Thus it appears, my Lords, that every inva-
‘ sion and insurrection we have lately been threat-
‘ ned with, proceeded from the discontents, that
‘ had been raised among the people; and if the
‘ keeping up of a greater number of regular for-
‘ ces, than is apparently necessary, may raise dis-
‘ contents among the people, as, I think, it ne-
‘ cessarily must, we may conclude, that, with
‘ respect to invasions or insurrections, instead of
‘ being an antidote, it will always be a provoca-
‘ tive. Now, as an army of 7000, or, if you
‘ please 10,000 men, has by experience appeared
‘ to be sufficient for preventing invasions and in-
‘ surrections, at a time we were in as great dan-
‘ ger as we can ever be supposed to be in, unless

‘ when they are actually threatned, and prepara-
‘ tions making for that purpose, every impartial
‘ man must conclude, that an army of 18,000 is
‘ a much greater number than is necessary at pre-
‘ sent; every man that judges so, must of course
‘ become discontented; and therefore, not only
‘ for the sake of the expence, but even for the
‘ sake of our future security, against being threat-
‘ ned with any invasion or insurrection, we ought
‘ to make, at least, the reduction proposed.

‘ I am, indeed, of opinion, my Lords, that
‘ 12,000 is rather too great a number. Even
‘ such a number may be of dangerous conse-
‘ quence to our liberties, if ever we should hap-
‘ pen to have an ambitious and artful Prince up-
‘ on our throne. Nay, if our militia were pro-
‘ perly regulated and disciplined, I should be a-
‘ gainst keeping up half the number; for Gene-
‘ ral *Monk*, with less than half the number, over-
‘ turned the government then established, and
‘ restored King *Charles II.* and in that King’s
‘ reign, some people, we know, were of opinion,
‘ that less than half the number would be suffi-
‘ cient for establishing arbitrary power, as appears
‘ from a famous scheme, privately, ’tis said, of-
‘ fered to him, for bridling the power of Parlia-
‘ ments, for loading the nation with excises, and
‘ for doing a great many other fine things, men-
‘ tioned at large in that scheme. But, my Lords,
‘ to make too great a reduction at once, might
‘ be attended with many inconveniencies, and
‘ perhaps with danger; therefore, I think, the
‘ noble Lord was right in his motion: I think a
‘ reduction of 6000 is the greatest we ought to
‘ make at once; but it is not from thence to be
‘ inferred, that he, or any one that has seconded
‘ his motion, is of opinion, that no farther re-
‘ duction ought ever to be made; for I do not
‘ think our constitution and liberties will ever be
‘ absolutely

‘ absolutely safe, until we return to our antient
 ‘ method, of making military exercises the di-
 ‘ version and amusement of all ranks of men,
 ‘ and of making it the custom or fashion for all
 ‘ our laymen at least, to breed themselves up to
 ‘ arms and military discipline; and if we can ac-
 ‘ complish this, I believe, it will be granted, we
 ‘ would then have no occasion for a standing ar-
 ‘ my, or for keeping a greater number of regu-
 ‘ lar troops in continual pay, than was necessary
 ‘ for the grandeur and personal safety of our King
 ‘ and Royal Family.’

The last that spoke in this debate, was the Lord Chancellor, who spoke in substance thus.

‘ My Lords,

‘ In this debate, I think, it has been granted, Lord Chan-
cellor's
speech.
 ‘ on all sides, that when there are great discon-
 ‘ tents among the people, we are exposed to the
 ‘ danger both of invasions and insurrections; and
 ‘ it has likewise been granted, that there are at
 ‘ present great discontents among the people of
 ‘ this nation; therefore it must, I think, be grant-
 ‘ ed, that we are now in great danger, not only
 ‘ of insurrections, but of invasions; and no Lord
 ‘ who has spoke in this debate, has pretended to
 ‘ say, that we ought not to keep up an army, or
 ‘ that we ought to reduce our army, when we
 ‘ are in real and immediate danger. But, say
 ‘ some Lords, all the discontents we now com-
 ‘ plain of, proceed from your keeping up such a
 ‘ numerous army: Disband but your army, say
 ‘ they, or a great part of it, and the people will
 ‘ be satisfied. This, in my opinion, my Lords,
 ‘ would be like a man's throwing away his arms,
 ‘ in order to be reconciled with his enemy; which,
 ‘ I am sure, no man of courage or prudence
 ‘ would do: If a man has any true courage, or

‘ common prudence, he will first endeavour at a
‘ reconcilment; and when he is well assured,
‘ that his enemy is sincerely reconciled with him,
‘ he will then lay aside his arms, because he can-
‘ not then have an immediate use for them.

‘ My Lords, if we were certain, that all our
‘ present discontents proceeded from our keeping
‘ up an army, and that all those that now appear
‘ discontented, would be satisfied, and would be
‘ sincerely reconciled with, and obedient to, our
‘ government for the future, I should readily a-
‘ gree to the reduction proposed: But the contra-
‘ ry, I think, is manifest. It is not from our
‘ keeping up an army that our present discontents
‘ proceed: It is not with our government only,
‘ but with our whole legislature, that the meaner
‘ sort of people appear dissatisfied. The greatest
‘ discontents that have appeared, the most fre-
‘ quent riots that have happened, have been oc-
‘ casioned by an act of the whole legislature, and
‘ one of the best acts that was ever made, one
‘ of the most necessary for preserving both the
‘ health and morals of the people. Our discon-
‘ tents and riots occasioned by the erecting of
‘ turnpikes are of the same nature: They do not
‘ proceed from any measures taken by the go-
‘ vernment only; but from measures that have
‘ been approved of by the whole legislature. In
‘ both these cases, the discontents and riots that
‘ have happened, or may happen, must be allow-
‘ ed to proceed from measures that were proposed
‘ by those, who could have nothing in view but
‘ the happiness and convenience of the people;
‘ and what they proposed have met with the ap-
‘ probation, not only of our legislature, but of
‘ all the better sort of people in the kingdom:
‘ It is only among the very dregs of our people,
‘ that these discontents, and this spirit of mob-
‘ bing and rioting prevail; and, if you allow the
‘ dregs

‘ dregs of your people to prescribe to, or con-
‘ troul, the legislative authority of the kingdom,
‘ in opposition to what is approved of by all
‘ those of a superior rank, not only our present
‘ establishment, but government itself must be at
‘ an end: Anarchy and confusion must ensue,
‘ and from that anarchy, as has been once our
‘ fate already, one of the worst sort of tyrannies
‘ will certainly spring up.

‘ Thus, I think, my Lords, I have shewn,
‘ that the dissatisfaction that now prevails chiefly
‘ among our meaner sort of people, does not
‘ proceed from our keeping up a numerous ar-
‘ my; and none of those discontents which pro-
‘ ceed from disaffection, disappointment, malice,
‘ envy, or resentment, can, with the least shadow
‘ of justice, be attributed to our keeping any
‘ number of regular troops in pay. These dis-
‘ contents, ’tis true, may all of them be height-
‘ ned by the army we keep up at present: But
‘ how are they heightned, my Lords? The dis-
‘ affected are angry with our army; because, by
‘ means of our army, our government is enabled
‘ to prevent its being in their power to overturn
‘ our religion and constitution, by introducing
‘ popery and slavery. The seditious are angry
‘ with the army, because, by means of the army,
‘ our government is enabled to prevent its being
‘ in their power, to spread war, bloodshed, and
‘ desolation, over the face of their country; and
‘ the loose and abandoned are angry with our ar-
‘ my, because, by means of our army, our go-
‘ vernment is enabled to prevent its being in their
‘ power, to come easily at those pernicious li-
‘ quors, which give a new spring to all their
‘ vicious appetites, and which make it easy for
‘ them to draw multitudes into the same lewd
‘ and debauched course of life. If our army, or
‘ a great part of it, were disbanded, can we ex-
‘ pect

‘pect that either of these sorts of discontented
‘people, would be sincerely reconciled to the
‘present establishment and laws of their country?
‘Can we expect that either of them would be-
‘come quiet and peaceable subjects? No, my
‘Lords: They would all think they had got an
‘opportunity for accomplishing their respective
‘favourite designs: They would probably join
‘together, as the Triumvirate did at *Rome*, in
‘endeavouring to destroy every man of religion
‘or virtue in the country; and what might be
‘the consequence, I dread to think on.

‘I shall never therefore, my Lords, be for dis-
‘banding or reducing our army, as long as this
‘spirit of disaffection, sedition, and dissoluteness,
‘prevails among our people. It is this spirit that
‘makes the keeping up of our army necessary.
‘It is this spirit that now makes a greater army
‘necessary, than in King *William’s* reign; for
‘though there was then perhaps as much disaf-
‘fection as at present, there was little or no spi-
‘rit of sedition among any, and much less was
‘there a spirit of dissoluteness and immorality
‘among the meaner sort of our people. We had
‘then nothing to guard against but the attempts
‘of the Jacobites; and though there was then
‘a greater number of open professed Jacobites
‘than now, yet their attempts were less danger-
‘ous, because they avowed their principles;
‘whereas, many of our modern Jacobites have
‘learned to disguise themselves, by assuming
‘the character of lovers of liberty, and admirers
‘of our antient constitution. They then made
‘their attacks openly, but now they approach by
‘the sap, or endeavour to corrupt the garison;
‘which is one reason for shewing, that we now
‘stand in need of a greater body of well disci-
‘plined troops, to defend us against the attempts,
‘even of the Jacobites, than we did in King
‘*William’s*

‘ *William*’s time. But there is another, my Lords,
‘ which, with me, is still of more weight: In
‘ King *William*’s time, the violences and oppres-
‘ sions of the late King *James*’s reign were fresh
‘ in every man’s memory: The danger to which
‘ our religion, our liberties, and our properties,
‘ had been exposed, was what every man then
‘ knew by his own experience. These things are
‘ now generally known by heresay only; and
‘ therefore, we cannot expect that our people
‘ would now be so unanimous, or so zealous, in
‘ opposing the attempts of the Jacobites, as they
‘ would have been in King *William*’s time. Be-
‘ sides, the late King *James* was then alive; and
‘ therefore no attempts could be made, but in
‘ favour of the very man who had oppressed us;
‘ and who, by his blind bigotry, had brought us
‘ to the brink of destruction; whereas now the
‘ person is changed, and from a new person, the
‘ thoughtless part of our people may be deluded
‘ into the expectation of a new sort of conduct.
‘ For this reason, we cannot now expect that any
‘ but the prudent and thoughtful will be unani-
‘ mous and zealous against all such attempts;
‘ and they may be overpowered, if they are not
‘ supported by a sufficient regular army.

‘ But suppose, my Lords, we had nothing to
‘ fear from any party amongst ourselves, or from
‘ any discontents now subsisting among our own
‘ people, yet, I should be far from thinking the
‘ present a proper time for reducing our army.
‘ We are not now, ’tis true, in actual war with
‘ any potentate in *Europe*; but there is, I think,
‘ some reason to suspect we are upon the brink
‘ of it. As I am one of those who have a good
‘ opinion of the wisdom of our present adminis-
‘ tration, I believe they will avoid a war, if pos-
‘ sible; because it is against the interest of this
‘ nation to make conquests, and therefore, against
‘ our

‘ our interest to enter into a war, if it can be a-
‘ voided with honour; but, the behaviour of the
‘ *Spaniards* towards us has of late been of such a
‘ nature, that we must insist upon satisfaction;
‘ and though the court of *Spain* has not yet deni-
‘ ed it, yet we know, that a proper satisfaction is
‘ hard to be obtained from any nation; and con-
‘ sidering the natural haughtiness of the *Spaniards*,
‘ I believe, it will be found to be as hard to ob-
‘ tain a proper satisfaction from that nation as
‘ from any other; therefore, though we have still
‘ hopes of being able to obtain redress in a peace-
‘ able way, I think it would be wrong in us to
‘ divest ourselves of those, or any of those means,
‘ which are necessary for obtaining it by force of
‘ arms. This, I think, would be our case, should
‘ we agree to the reduction proposed; for we
‘ could not then, in my opinion, spare to send
‘ one man of our regular troops out of the king-
‘ dom; and, I believe, every one will grant, that
‘ in case of a war with *Spain*, it would be abso-
‘ lutely necessary to send some land forces along
‘ with any squadron sent to infest their coasts.
‘ Without such a land force our navy could not
‘ do them great prejudice; and therefore, the
‘ sending such a land force would be the only
‘ effectual way we could take for procuring a
‘ speedy compliance with our just demands. A
‘ reduction of our army would therefore be a vast
‘ disadvantage to us, in case our present differen-
‘ ces with *Spain* should, at last, come to an open
‘ rupture; and, if it be our interest to obtain re-
‘ dress without coming to an open rupture, as I
‘ think it is, it is rather our business to augment
‘ than diminish our regular troops; for the court
‘ of *Spain* will certainly be the more pliable, the
‘ more they are convinced of our being in a rea-
‘ diness to revenge the injuries we have met with.
‘ As

‘ As to the regulations our army is now under,
‘ I do not see, my Lords, what relation they can
‘ have to the present question; and therefore, I
‘ do not think it necessary, to take much notice
‘ of what has been said upon that subject. Only
‘ I must observe, that ever since we have had
‘ such a thing as a regular army, it has always
‘ been under the same regulations. Under these
‘ regulations, it has procured us security at home
‘ and glory abroad; and hitherto we have not
‘ found the least inconvenience from any of these
‘ regulations; which are circumstances that cannot, I think, afford so much as one good argument for a change; but, on the contrary, furnish us with one of the best arguments that can be made use of against admitting any change. The officers commissions must always be, in my opinion, at the King’s absolute disposal; for, it is necessary, both for the support of our government, and for preserving regularity and discipline in the army, to give the King a greater power over the officers of our army than he has over our judges or clergy. There are many little pieces of oppression and injustice, which officers and soldiers might be guilty of, in their quarters and otherwise, which it is impossible to punish or provide against, by any human laws civil or military. There are many little pieces of neglect or misbehaviour in duty, which it is impossible to prevent by any law, or to punish even by a court martial. There is no way of tying officers down to that behaviour, diligence, and regularity, which is necessary, both for the quiet of the people, and the perfection of military discipline, but by making the preservation of their commissions, as well as their preferment in the army, depend upon the whole tenor of their conduct and behaviour; and, there is no way of doing this, but by leaving
‘ ing

‘ ing it entirely in the King’s power to determine,
‘ by the advice of his Generals and superior offi-
‘ cers, what gentlemen deserve to be preferred,
‘ and what officers ought to be cashiered.

‘ I am fully convinced, my Lords, that the
‘ giving our officers a legal title to their com-
‘ missions during life, or even establishing it as a
‘ rule, that no officer could be turned out of his
‘ commission but by a court martial, would be
‘ the cause of great oppression upon the people,
‘ and would put an end to all regularity and dis-
‘ cipline in the army; and, I cannot but admire,
‘ that those who, for some years, have pretended
‘ to think an annual army so dangerous to the li-
‘ berties of the people, should ever be for esta-
‘ blishing an army for life, which would probably
‘ be the case, if the commissions of our officers
‘ were all declared, by law, to be for life. I shall
‘ readily grant, that this would take off a great
‘ deal of their dependence upon the crown, and
‘ might, perhaps, make it more difficult for a
‘ minister to have any undue influence, either in
‘ Parliament or at elections; but it would, I am
‘ afraid, render our army so mutinous, and would
‘ make it so difficult and tedious to get any offi-
‘ cer dismissed, that the army would, I believe,
‘ in a short time, begin to prescribe laws both to
‘ the Crown, and to the Parliament.

‘ I must beg pardon, my Lords, for having
‘ said so much upon that subject, which, I think,
‘ no way relates to the question now before us.
‘ The only question now under our consideration
‘ is, whether we ought to reduce our army from
‘ 18,000 to 12,000 men. Upon this question,
‘ as well as in all other affairs that come before
‘ us, every member ought to determine from his
‘ own knowledge, and by his own judgment;
‘ and, as most of the members now present,
‘ were last session of Parliament of opinion, that

‘ 18,000

' 18,000 men were necessary for our defence last
 ' year, I hope they will, in this session of Parlia-
 ' ment, be of the same opinion, with respect to
 ' the ensuing year; for, I can see no pretence for
 ' thinking our danger from invasions or insurrec-
 ' tions less than it was last year; and as we have
 ' kept up the same number for several years past,
 ' without being sensible of the least inconveni-
 ' ence, as we have all along enjoyed, by that
 ' means, a perfect tranquillity, I cannot be for
 ' giving up a security, which, by experience, we
 ' have found to be certain, on account of any
 ' pretended danger, which as yet can be called
 ' nothing but imaginary.'

At last the question was put upon the motion, and carried in the negative, 35 contents, 99 not contents.

The same petitions having been presented to the house of Lords against the *Spanish* depredations, that had been presented to the house of Commons, their Lordships likewise took that affair into their consideration in a committee of the whole house, the Lord *Delawar* being chairman; and after the necessary examinations were over, the Earl of *Cholmondley* stood up, and spoke to the following effect:

Debate in
 the house of
 Lords on
 the petitions
 against *Spa-
 nish* depreda-
 tions.

' My Lords,
 ' Your Lordships are, no doubt, fully apprized
 ' of the important reasons for which you are this
 ' day summon'd to attend, and of the necessity
 ' which our duty and honour lay us under, to
 ' testify on this occasion our resentment of the
 ' insults offer'd to the dignity of the crown, and
 ' the injuries done to our plunder'd merchants;
 ' I beg leave therefore, without any introduction,
 ' to enter into an explanation of such particulars
 ' as, I think, ought to serve as the foundation of
 ' some

Earl of *Chol-
 mondley's*
 speech.

‘ some resolutions, which I shall take the liberty
 ‘ to lay before your Lordships, and to which
 ‘ I humbly hope your Lordships will concur.

‘ My Lords, I shall divide what I have to say
 ‘ on this head into three parts, each part relating
 ‘ to one of the said resolutions ; and I hope your
 ‘ Lordships will favour me with your indulgence.
 ‘ If, after having communicated my sentiments
 ‘ to your Lordships, any Lord shall think fit to
 ‘ lay before you another set of resolutions, or to
 ‘ make objections, or offer amendments to mine,
 ‘ I shall chearfully concur with what the wisdom
 ‘ of the house shall determine.

‘ That I may proceed with the greater perspi-
 ‘ cuity, it will be necessary for me, my Lords,
 ‘ to enter into a disquisition of the particular trea-
 ‘ ties upon which our right to navigation in *Ame-*
 ‘ *rica* is founded ; that we may be able to ascer-
 ‘ tain the right upon which we claim a free com-
 ‘ merce in that part of the world, and have an
 ‘ opportunity of discovering how unjustifiable
 ‘ these pretences are, upon which the *Spaniards*
 ‘ have insulted our merchants, and invaded their
 ‘ property.

‘ There is no doubt, my Lords, but that the
 ‘ law of nations gave the *Spaniards* a right to
 ‘ a large part of *America* : Their title was founded
 ‘ upon their right of discovery, prior possession,
 ‘ and conquest. But the ambition of that people
 ‘ push’d them on to claim a right to all *America*
 ‘ exclusive of other nations ; and this right, my
 ‘ Lords, they founded upon a title justly disown-
 ‘ ed by us, which was that of a grant from the
 ‘ Pope. This, my Lords, was the reason why
 ‘ they opposed the *English* in the settlements
 ‘ which they made there soon after the discovery
 ‘ of *America*, and to which we had as good a
 ‘ right by the law of nations, as the *Spaniards*
 ‘ had to their settlements. And to this it was
 ‘ owing,

owing, that, for near a century after the *Spaniards* had received this grant from the Pope, there was a continual war betwixt the *English* and *Spaniards* in *America*, while both powers were at peace in *Europe*. Nor, my Lords, was there any treaty, though we made several during that period, betwixt us and *Spain*, that ascertained the right of commerce and navigation, or fixed the bounds of the several territories possessed by the two crowns in *America*. The first treaty, my Lords, that was made for that effect, was concluded in the 20th year of the late King *Charles II.* the articles of which are to be taken distributively, some of them relating to the trade of *Europe*, and others to that of *America*. But, my Lords, there is no specification in that treaty, by which any of its articles except the eighth can be construed as relating to our commerce, either in *Europe* or *America*, any other way than as the terms of the particular articles therein contained agree with the stipulations which regulate the commerce betwixt the two crowns in *Europe*. Therefore, my Lords, some of the articles of that treaty, such as the second, the fourth, and the seventh, seem chiefly applicable to the trade betwixt *England* and *Old Spain* in *Europe*: By the last mentioned article it is stipulated,

‘ *That the subjects of the two crowns shall reciprocally pass freely and securely by sea, by land, and by rivers, into the countries, confines, territories, &c. where trading and commerce have hitherto used to be; and that they shall trade, buy, and sell as freely and securely as the inhabitants of the respective places, whether of their own nation, or any other, who are there, or who come there, or who have liberty to trade there.*

‘ These words, my Lords, we must own, are not applicable to the commerce of *America*, unless

‘ less we can prove that commerce and trading
‘ had been us’d betwixt the *English* and the *Spa-*
‘ *niards*, and that the natives of *England* had
‘ a right to settle and to carry on commerce in
‘ the *Spanish West-Indies*. But, my Lords, though
‘ we should grant to the *Spanish* minister, what is
‘ contained in his answer to our minister’s memo-
‘ rial; that this and the other articles, I have
‘ mentioned, have no regard to the navigation
‘ and commerce in *America*; yet the regulations
‘ to which that crown is oblig’d to conform by
‘ the articles of the same treaty, and which are
‘ evidently calculated for the navigation of *Ame-*
‘ *rica* as well as *Europe*, give us very justifiable
‘ grounds for insisting that the subjects of his Ca-
‘ tholick Majesty acted in direct violation of that
‘ treaty; because their *Guarda Costa*’s have arbi-
‘ trarily attack’d, seized, and plundered the ships
‘ and cargoes of many of our merchants. Not
‘ contented with this, my Lords, they have pro-
‘ ceeded to violences that are unjustifiable even
‘ in a time of actual war between two nations.
‘ This last proceeding, my Lords, is a violation
‘ of the law of nature and nations, as the former
‘ is of the particular treaties betwixt the two
‘ crowns. To prove this I shall only beg leave
‘ to observe, that by the treaty I have now men-
‘ tioned, no search of our ships is authorized;
‘ at least, no such search as is practised by the
‘ *Spanish Guarda Costa*’s. For there is but one
‘ article, which is the 14th, in all that treaty,
‘ that can give the least colour to a search of any
‘ kind, and in that very article there is a prohibi-
‘ tion that entirely destroys all their pretences to
‘ such a search as they insist upon. For, my
‘ Lords, it is there expressly stipulated, that no
‘ *Guarda Costa*, or ship of war belonging to *Spain*
‘ shall come within cannon shot of an *English*
‘ ship, if she meets the latter at sea, but shall
‘ (give

‘ (give me leave to use the words of the treaty)
‘ *send their long-boat or pinnace to the English ship*
‘ *with two or three men on board, to whom the*
‘ *master or owner shall shew his passports and sea-*
‘ *letters, whereby not only the ship’s lading, but the*
‘ *place to which she belongs, and as well the master’s*
‘ *and owner’s name, as the name of the ship may*
‘ *appear, by which means the quality of the ship*
‘ *and her master or owner will be sufficiently known,*
‘ *as also the commodities she carries, whether they*
‘ *be contraband or not; to the which passports and*
‘ *sea-letters entire faith and credit shall be given.*

‘ Thus, my Lords, we see that by this treaty
‘ there is not the least foundation upon which the
‘ *Spaniards* can lay their claim to a search in the
‘ manner by them practised. Nay we see, that
‘ supposing an *English* ship had prohibited goods
‘ on boards, yet the master of the *Spanish Guarda*
‘ *Costa* has no right to rummage his hold, or to
‘ ranfack the vessel; for the fact of having or
‘ not having prohibited goods on board, is to be
‘ taken upon an inspection of the *English* master’s
‘ passes and sea-letters. My Lords, the authority
‘ of these passports and sea-letters, and the proof
‘ of their being genuine, must depend upon the
‘ bare word and credit of the master of the *Eng-*
‘ *lish* vessel, and after such passports and letters
‘ are produced and averred by the master of the
‘ *English* ship to be genuine, the ship is to proceed
‘ unmolested on her voyage, because, as your
‘ Lordships see, by the latter part of this article,
‘ *entire credit and faith shall be given to such pass-*
‘ *ports and letters, when produc’d.* But though
‘ by these letters and passports it should appear
‘ that prohibited goods are on board an *English*
‘ ship, though it should appear that such a ship is
‘ bound to, or is sailing from a port at enmity
‘ with *Spain*, and has goods on board that in the
‘ sense prescribed by the articles of the same treaty

' are to be deem'd contraband; yet even these
 ' circumstances can never justify the confiscation
 ' of the whole ship and cargo, much less any
 ' abuse of the officers and crew of such a ship,
 ' or forcing them into a long and dismal cap-
 ' tivity; because, by the 15th article of the same
 ' treaty, *these prohibited goods only are to be seized*
 ' *and confiscated, and not the other goods; neither*
 ' *shall the delinquent incur any other punishment,*
 ' *except he carry out from the dominions of Spain*
 ' *any gold or silver wrought or unwrought.* And
 ' the 23d article, which fixes the nature of con-
 ' traband goods, and to what sense that term
 ' shall be restrained, expressly says, *that if it shall*
 ' *appear that such goods are on board an English*
 ' *ship, such goods only shall be taken out and confis-*
 ' *cated; but for this reason, the ship and other*
 ' *freed and allow'd commodities which shall be found*
 ' *therein, shall in no ways be either seized or con-*
 ' *fiscated.*

' From the consideration, my Lords, of these
 ' articles, we see how repugnant the practice of
 ' the *Spaniards*, in searching and confiscating our
 ' ships, is to that treaty concluded betwixt *Spain*
 ' and us, in the 20th year of King *Charles II.* and
 ' from the same consideration it may be fairly in-
 ' ferred, that the subjects of *Great Britain* have
 ' a right to navigate in those and all other seas,
 ' without being subject to any other search, than
 ' the visitation of two or three persons put on
 ' board the pinnace or long-boat of the *Spanish*
 ' ship, who have a right to know no more about
 ' the ship's course or her cargo, than what they
 ' can gather from the papers exhibited by the
 ' captain of the *English* ship. Their seizing,
 ' therefore, or making prize of any ships belong-
 ' ing to his Majesty's subjects, for having on
 ' board such of the said goods as are in the sense
 ' of the said treaty deem'd contraband, is a vio-
 ' lation

‘ lation of the good understanding that ought to
‘ subsist betwixt the two crowns. Thus much,
‘ my Lords, I have said from a supposition, that
‘ the articles I have last mention’d of this treaty,
‘ have a relation to the navigation in *America*
‘ as well as to that in *Europe*; though this, my
‘ Lords, is a matter which I believe the *Spaniards*
‘ will make great difficulties of admitting,
‘ as appears from the papers that have past be-
‘ twixt his Majesty’s and the *Spanish* ministers on
‘ that head, and which lie upon our table. But
‘ there is one article, which effectually destroys
‘ any such pretences of the *Spanish* ministers.
‘ The eighth article, my Lords, of the treaty I
‘ have so often mention’d, grants to the subjects
‘ of *England* the same rights, privileges, and im-
‘ munities of commerce and navigation, as were
‘ granted to the subjects of the United Provinces
‘ by the treaty of *Munster*, which was conclu-
‘ ded twenty years before the other treaty which I
‘ have mentioned. So that, my Lords, we have
‘ no more to do, even by the confession of the
‘ *Spaniards* themselves, but to have recourse to
‘ the article of the treaty of *Munster*, which re-
‘ gulates the commerce betwixt the subjects of
‘ the United Provinces, and those of *Spain* in *Ame-*
‘ *rica*. By this article, my Lords, we shall find
‘ that we have as full and ample right to the na-
‘ vigation of the *American* seas. as has yet been
‘ insisted on in any of our memorials, or as has
‘ been practised by those ships, which the *Spaniards*
‘ have seized upon and confiscated as law-
‘ ful prizes.

‘ But, my Lords, as this treaty concluded be-
‘ twixt *Spain* and *England* was found liable to
‘ many altercations, it was thought necessary, by
‘ the two crowns three years after, to make a
‘ more particular treaty, which should be entirely
‘ confined to the navigation in *America*. This

‘ treaty, my Lords, has for its title, *A treaty of*
‘ commerce and navigation for accommodating dif-
‘ ferences, and preventing depredations betwixt the
‘ subjects of Great Britain and Spain in America;
‘ and though not repugnant to, is far more de-
‘ finitive and explicit than the treaty concluded
‘ three years before, which I have so often men-
‘ tioned to your Lordships. And, my Lords,
‘ though, by this latter treaty, we seem to have
‘ given up some of the rights of commerce,
‘ which it would appear we enjoyed when the
‘ former treaty was concluded; yet still, those
‘ articles of the former treaty which related in
‘ general to our right of commerce and naviga-
‘ tion upon those seas, must be understood to be
‘ fully in force, except in the cases which are spe-
‘ cified by the latter treaty, and which must be
‘ understood as relating to the navigation in
‘ *America*. The most material difference, my
‘ Lords, which is betwixt this latter and the for-
‘ mer treaty, is in the mutual exclusion which
‘ both crowns have given to their respective sub-
‘ jects from trading to each other’s ports, harbours,
‘ and dominions; which exclusion, my Lords,
‘ is contained in the 8th article of the said trea-
‘ ty, in these words, *That the subjects of the two*
‘ *contracting powers shall, respectively, forbear*
‘ *and abstain from sailing to, and trafficking in the*
‘ *ports and havens which have fortifications, cas-*
‘ *tles, or warehouses, or in other places possess’d by*
‘ *the other party*. This, my Lords, is the great
‘ and material difference betwixt these two trea-
‘ ties, and seems to have been concerted by the
‘ ministers of the two contracting powers, as the
‘ only means of putting an end to the number-
‘ less differences betwixt their respective subjects,
‘ from the nature of the prohibited goods, and
‘ the indefinite sense of the former treaty. But,
‘ my Lords, though by this article we are de-
‘ barred

‘ barred from sailing and trafficking in the *Spanish*
 ‘ settlements, and they to the *English*; yet we
 ‘ are not debarred from the common rights of na-
 ‘ vigation and commerce upon these seas, we are
 ‘ not debarred from sailing to the places not pos-
 ‘ sessed by the *Spaniards*; far less are we debarred
 ‘ from sailing betwixt *Great Britain* and any of
 ‘ our colonies in *America*, or from carrying on a
 ‘ free commerce there between one of our own
 ‘ settlements and another. This article, my
 ‘ Lords, can never be construed as giving to his
 ‘ Catholick Majesty, the sovereignty of these seas,
 ‘ exclusive of us and all other nations. This,
 ‘ my Lords, is a sovereignty which our crown
 ‘ has never yet admitted of, as belonging to the
 ‘ crown of *Spain*, and I dare say never will. Yet,
 ‘ my Lords, without such a sovereignty, the
 ‘ *Spaniards* can never have the least pretence for
 ‘ their depredations. But, to prove to your
 ‘ Lordships that our crown neither granted such
 ‘ a sovereignty, nor the crown of *Spain* insisted
 ‘ upon any such, when this treaty was made, I
 ‘ shall beg leave to read the 15th article of that
 ‘ treaty.

“ This treaty shall no way derogate from any
 “ preheminance, right, or signiory, which either
 “ the one or the other of the contracting parties
 “ have in the seas, straits, or fresh waters of *Ame-*
 “ *rica*; and that they shall have and retain the
 “ same in as full and ample a manner as of right
 “ ought to belong to them. *But be it however*
 “ *understood*, that the freedom of navigation ought
 “ not to be interrupted, when there is nothing
 “ committed contrary to the true sense and mean-
 “ ing of this treaty.”

‘ By this article, my Lords, we see the rights
 ‘ of navigation upon these seas, so far as they
 ‘ were consistent with the stipulations of the trea-
 ‘ ty made three years before, and so far as they

‘ were according to the sense and meaning of
‘ the treaty then made; I say, my Lords, we
‘ see these rights are confirmed in as full and ex-
‘ plicit a manner as words could make them.
‘ But, my Lords, there is still a stronger proof
‘ of our rights of navigation on these seas, and
‘ of the injustice of the *Spanish* pretensions, con-
‘ tained in the 10th article of this treaty, which
‘ is express’d in these words: *It is also agreed,*
‘ *that in case the subjects and inhabitants belonging*
‘ *to either of the two allies, and their ships, whe-*
‘ *ther they be men of war or merchant ships,*
‘ *and such as belong to private persons, should at*
‘ *any time be forced by storm, pursuit of pyrates*
‘ *or enemies, or by any other accident whatsoever,*
‘ *to retire and enter into any of the rivers, creeks,*
‘ *bays, havens, roads, or ports belonging to the*
‘ *other in America, in order to have protection*
‘ *and refuge, they shall be receiv’d and treated*
‘ *there with all manner of humanity and civility,*
‘ *and have all the protection and assistance of friends,*
‘ *and that they shall be allow’d to refresh them-*
‘ *selves, and be at liberty to buy provisions and*
‘ *other necessaries, whether it be for the support*
‘ *of their persons, or for repairing their ships and*
‘ *conveniency of their voyage, and that they shall*
‘ *no manner of way be retarded or hindered to go*
‘ *out of the said ports or roads, but they may do it*
‘ *whenever they have a mind to do it without any*
‘ *lett or molestation.* Therefore if a master of an
‘ *English* ship shall, under any frivolous pretences,
‘ continue longer in that harbour than the time
‘ prescrib’d by the *Spanish* governor for his depar-
‘ ture, the said governor may make lawful prize
‘ of that ship. This, my Lords, is an article
‘ that never could have been made, if it was
‘ the sense of either of the contracting powers,
‘ that the ships of either should be absolutely
‘ prohibited from navigating in these seas. By
‘ admitting

‘ admitting of the possibility that an *English* ves-
‘ sel may be obliged to put into a *Spanish* port,
‘ we may with the greatest justice conclude, that
‘ there is nothing in that treaty which could ex-
‘ tend to a prohibition of the *English* ships sailing
‘ by, and even within sight of their settlements,
‘ forts, and harbours. So that, my Lords, the
‘ prohibition in the eighth article can only relate
‘ to an actual commerce in their ports and har-
‘ bours, but not to a prohibition of the *English*
‘ ships sailing from one of our colonies to ano-
‘ ther. The only objection therefore, my Lords,
‘ that the *Spaniards* can possibly raise, must be
‘ founded, not upon a right of navigation, but
‘ upon a right of possession. They may indeed
‘ pretend that our claim to some of our posses-
‘ sions there is ill founded, and inconsistent with
‘ their rights; but, my Lords, in answer to that,
‘ we have a positive concession from *Spain* of all
‘ lands, countries, &c. which we possess’d at the
‘ time of the conclusion of that treaty. The
‘ words of the seventh article are so express to
‘ this purpose, that I cannot help reading them
‘ to your Lordships. Here we see it stipulated,
‘ *That the King of Great Britain, his heirs and suc-*
‘ *cessors, shall have, hold, keep, and always possess*
‘ *in full right of sovereignty, signiory, possession, and*
‘ *propriety, all the lands, countries, islands, colonies,*
‘ *and other places, be they what they will, lying and*
‘ *situate in America, which the said King of Great*
‘ *Britain and his subjects now hold and possess; in-*
‘ *somuch that they neither can nor ought hereafter to*
‘ *be contested or called in question, upon any ac-*
‘ *count, or under any pretence whatsoever.*

‘ These words, my Lords, I think are suffi-
‘ cient to remove all objections raised by the *Spa-*
‘ *niards*, as to our possessions in the province of
‘ *Jucatan*, and the right of cutting logwood in
‘ the bay of *Champeachy*, unless they can prove

‘ that we were not in possession of any property
 ‘ in either of these two places when this treaty
 ‘ was concluded, which, my Lords, they never
 ‘ can do. I must likewise, by the by, observe
 ‘ that these words are sufficient to remove the
 ‘ scruples which some amongst ourselves have
 ‘ entertained, as to the confirmation of our right to
 ‘ the island of *Jamaica*. It is true, my Lords, that
 ‘ the *Spaniards* at that time could not be brought
 ‘ to make a positive and a direct acknowledg-
 ‘ ment of our right to that island, and I think
 ‘ our ministers did wisely, in not insisting upon
 ‘ it: Because this general concession in effect se-
 ‘ cures it as well to the nation, as it could have
 ‘ been, had they even granted a direct and ex-
 ‘ press acknowledgment of our right of posses-
 ‘ sion. Besides, my Lords, had we accepted of
 ‘ particular instead of general acknowledgments,
 ‘ every foot of land, not specified in the treaty,
 ‘ had become liable to be disputed. For, my
 ‘ Lords, had we insisted upon such a security for
 ‘ one of our possessions, we should thereby have
 ‘ made a tacit acknowledgment, that all the pos-
 ‘ sessions we held by virtue of the same right re-
 ‘ quired the same particular security, or that the
 ‘ right itself was invalid. What I have said, my
 ‘ Lords, being in my opinion sufficient to justify
 ‘ the first resolution, which I shall take the liberty
 ‘ to lay before your Lordships, I shall now proceed
 ‘ to another consideration.

‘ It is evident, my Lords, from the situation
 ‘ of our island, and the genius of our people, that
 ‘ the glory and strength of our country depend
 ‘ upon the security and extent of our navigation;
 ‘ and that an infringement of the laws relating to
 ‘ our commerce, is wounding us in a very tender
 ‘ and sensible part. Therefore, if the *Spaniards*
 ‘ have committed insults of that kind, I think
 ‘ we cannot do a thing more becoming the ho-
 ‘ nour

‘ nour and dignity of this house, than to come
‘ to a resolution on this head, and to lay it be-
‘ fore our Sovereign, who, from the tender regard
‘ his Majesty has always exprefs’d for the rights
‘ of his subjects, we have no reason to doubt,
‘ will take care to procure us ample satisfaction
‘ for past, and security from future injuries. I
‘ hope I have already prov’d to your Lordships,
‘ that the subjects of *Great Britain* have a right
‘ to navigate and trade betwixt any one of our
‘ own settlements and another. I have likewise
‘ endeavour’d to prove that the *Spaniards* can
‘ have no real claim, from any treaty betwixt us
‘ and them, to justify such a search as is by them
‘ practis’d. I come now to shew your Lordships,
‘ that the pretences upon which these searches
‘ were made, the cargoes of our ships confiscated,
‘ together with the ships themselves, and the
‘ *British* subjects imprisoned and barbarously treat-
‘ ed, being unjust and groundless, consequently
‘ our rights to navigation and commerce have
‘ been unwarrantably infring’d and interrupted.
‘ To do this to your Lordships satisfaction, I
‘ need but have recourse to the papers that lie
‘ upon your Lordships table, where we shall find
‘ that most of the ships were proceeding on their
‘ voyages in a direct line, either from *England* to
‘ some one or other of our settlements in *Ameri-*
‘ *ca*, from one of these settlements to *England*,
‘ or from one to another of these settlements; in
‘ all which cases, my Lords, it was unlawful for
‘ the *Spaniards* to give them any interruption,
‘ far less to make them prizes. The other ships
‘ which were taken in what the *Spaniards* call
‘ their latitude, were forced into it by some of
‘ the causes specified in the first article of the
‘ treaty concluded in the 23d year of King
‘ *Charles II.* and therefore, my Lords, could with
‘ as little appearance of justice be confiscated.

‘ But

‘ But there is one circumstance worthy of the at-
‘ tention of the legislature, and which, if admit-
‘ ted to the *Spaniards* as a good plea, may go far
‘ to justify the excesses and cruelties they have
‘ committed. And that, my Lords, is a pretence,
‘ that their finding on board an *English* ship any
‘ *Spanish* silver, nay so much as one piece, gives
‘ them a right to confiscate the ship wherein it
‘ shall be found; and that they have the same
‘ right of confiscation, if any goods that are the
‘ staple commodities of the *Spanish* settlements in
‘ *America* are found on board any vessel. But,
‘ my Lords, we ought to be very cautious how
‘ we admit of this claim. We are to consider,
‘ that it is next to impossible, that a ship trading
‘ betwixt two places, that have daily and hourly
‘ intercourse with the *Spanish* settlements, can a-
‘ void having on board some *Spanish* commodity.
‘ There is no master of a vessel, be his caution
‘ ever so great with respect to himself, who can
‘ answer for his crew; and by these means there
‘ is no master of a ship trading to these parts,
‘ who may not be ruin’d by the avarice, or per-
‘ haps ignorance, of the meanest sailor he has on
‘ board. Besides, my Lords, the daily commerce
‘ carried on betwixt the *Spanish* settlements and
‘ ours in *America*, introduces not only *Spanish*
‘ commodities into our colonies, but even *Spanish*
‘ gold and silver; it very often happens too, that
‘ the governors of their settlements send to our
‘ settlements *Spanish* specie, in order to purchase
‘ provisions and other necessaries. And, my
‘ Lords, notwithstanding the prohibition contain-
‘ ed in the eighth article of the treaty last men-
‘ tioned, our *South-Sea* company have the liberty
‘ of sending an annual ship, and of carrying on a
‘ lawful commerce with their settlements; which
‘ must occasion a very large circulation of their
‘ commodities and specie, both in our own Plan-
‘ tations

tations and here at home. Hence it is evident, my Lords, that it is impossible, or next to impossible, for an *English* ship trading in these parts, to keep so free from *Spanish* commodities or specie as (should we admit this plea of the *Spaniards* to be just) not to be liable to confiscation. But, says the *Spanish* court, your ships are here taken in latitudes which do not lie in a direct line, either betwixt *Great Britain* and *America*, or betwixt any one of your settlements in *America* and another. My Lords, admitting that to be the case, we still justly contend, that unless they can prove a right to these seas exclusive of us, they can never make just prize of such ships: For as it is impossible to foresee the contingencies that may oblige a ship to depart from her direct course, so it is unjust to make her departing out of that course a lawful cause of confiscation: And it is equally unjust in the *Spaniards* to alledge that they are the only judges of the course which a ship in such cases is to hold, and of the reasons that perhaps may oblige her to alter it. But, my Lords, it appears from the papers upon your table, that most, if not all our ships that have been seized by the *Spaniards*, were actually seized in the direct courses, either betwixt *Great Britain* and our own Plantations in *America*, or from some one of our own Plantations to another. The treatment of the sailors on board our ships thus seized, was as barbarous and inhuman, as the pretences for such seizures were unjust and groundless. The tedious forms of proceeding in the *Spanish* courts of judicature, rendered their captivity long and dismal; their want of knowledge in the language, and their being depriv'd at once of all their papers, took from them the means of making a proper defence, and what completed their misery was, that they

‘ they were to be tried by a judge who had an
 ‘ evident interest in determining against them.
 ‘ And though at length they were acquitted, they
 ‘ must be still considerable losers by such an in-
 ‘ terruption of their commerce, and so great a
 ‘ loss of time. There is another thing, my
 ‘ Lords, we complain of, and is highly worthy
 ‘ your Lordships consideration; and that is, the
 ‘ pretensions of the *Spaniards* to seize our ships
 ‘ when any logwood is found in them. The
 ‘ cutting logwood in the bay of *Campeachy*, is a
 ‘ right which we contend we possess’d when the
 ‘ treaty made in the 23d year of King *Charles II.*
 ‘ was concluded, and consequently one of the
 ‘ rights secured to us in the seventh article in
 ‘ that treaty, which I have already read to your
 ‘ Lordships. Accordingly, my Lords, twenty
 ‘ years ago, when the case of our merchants tra-
 ‘ ding to *America* was laid before his late Majesty,
 ‘ his Majesty was pleased to remit this particular
 ‘ case, and many other points, to the considera-
 ‘ tion of the Lords of trade and plantations;
 ‘ who, after the fullest information they could
 ‘ get, gave it as their opinion in their report,
 “ That the said *American* treaty (meaning that
 “ concluded in the 23d of King *Charles II.*) did
 “ establish a right in the crown of *Great Britain*,
 “ to the *Laguna de Terminos* in the province of
 “ *Yucatan*, those places at that time of the treaty,
 “ and for some years before, being actually in
 “ the possession of the *British* subjects.” The
 ‘ board of trade, my Lords, seems to have had
 ‘ the fuller authority for what they have reported,
 ‘ from the first article of the treaty of commerce
 ‘ concluded at *Utrecht*, where, after confirming
 ‘ this right, we read these remarkable words:
 “ Without prejudice to any liberty or power which
 “ the subjects of *Great Britain* enjoy’d, either through
 “ right, sufferance, or indulgence.” So that, my
 ‘ Lords,

‘ Lords, without entering into a discussion upon
‘ what our right of cutting logwood in this bay
‘ of *Campeachy* was founded; if it can be proved,
‘ as at the time when this report was made, it
‘ might easily have been done, even by eye-wit-
‘ nesses, that we were suffered or indulged in cut-
‘ ting logwood there, we have thereby acquired
‘ a right to the continuation of that indulgence
‘ or sufferance. My Lords, this part of the dif-
‘ ference betwixt *Spain* and us, does not turn so
‘ much upon the right of navigation as upon the
‘ right of possession; but it is a very valuable
‘ possession, for as logwood is an indispensable
‘ material in many of the common uses of life,
‘ it is in the power of any nation who has the
‘ sole privilege of cutting it, to make their neigh-
‘ bours pay for it what price they please, and
‘ consequently to impose a tax upon all nations
‘ who deal in that commodity. Hence, my
‘ Lords, we may justly conclude, that the *Spani-*
‘ *ards* confiscating ships for their having logwood
‘ on board, is a violation both of our rights of
‘ possession, and of our rights of navigation. I
‘ shall, my Lords, now proceed to introduce the
‘ 3d resolution which I shall lay before your
‘ Lordships, and which relates to the methods
‘ hitherto used by our government for procuring
‘ satisfaction for the depredations made upon our
‘ merchants, and for preventing the like for the
‘ future, which applications have hitherto proved
‘ ineffectual.

‘ My Lords, there is no doubt but that the
‘ trade we enjoy with *Spain* and *Portugal* (which
‘ last trade, in case of a rupture with *Spain*, must
‘ be greatly interrupted) is very beneficial to
‘ *Great Britain*. For which reason his Majesty
‘ has omitted nothing that lay within his royal
‘ endeavours to procure satisfaction to his injured
‘ subjects for their losses, so far as they came to
‘ his

his knowledge, and to prevent the like for the future; and this by the most proper measures. The *British* resident at that court, as appears from extracts of his memorials, which lie before your Lordships, has made the strongest and warmest instances for obtaining the desired end, but has not been yet able to prevail. The King of *Spain* indeed gave orders, that some of the ships reclaimed in the memorials of our resident at his court, particularly the ship *James*, should be restored. But these orders have either been entirely eluded, by the *Spanish* governors in *America*, or obeyed in such a manner, as that a restitution made to the sufferers has scarce indemnify'd them, either for the expences they have been at in their solicitations, or for their loss of time, or for the interruption of their business. But as it would be unjust to impute this delay to the want of inclination in the King of *Spain* to give us satisfaction, our Sovereign, from a regard to the interest of our own merchants, has not thought proper as yet to take any measures to interrupt the good understanding betwixt the two crowns. Therefore, my Lords, I humbly think we cannot give a greater instance of our duty to his Majesty, as well as of our concern for his injured subjects, than to give him the strongest and most sincere assurances of a zealous and chearful concurrence in all such measures as shall become necessary for the support of his Majesty's honour, the preservation of our navigation and commerce, and the common good of this kingdom: And therefore I humbly move that we may come to the following resolutions;

1. Resolved, that the subjects of the crown of *Great Britain* have a clear and undoubted right to navigate in the *American* seas, to and from any part of his Majesty's dominions; and
for

‘ for carrying on such trade and commerce as
‘ they are justly intitled to in *America*; and like-
‘ wise to carry all sorts of goods and merchan-
‘ dizes, or effects, from one part of his Majesty’s
‘ dominions to any other part thereof; and that
‘ no goods being so carried are, by any treaty
‘ subsisting between the crowns of *Great Britain*
‘ and *Spain*, to be deemed or taken as contra-
‘ band or prohibited goods.

‘ 2. Resolved, that it appears to this house,
‘ that, as well before as since the execution of
‘ the treaty of *Seville* on the part of *Great Britain*,
‘ divers ships and vessels, with their cargoes be-
‘ longing to *British* subjects, have been violently
‘ seized and confiscated by the *Spaniards*, upon
‘ pretences altogether unjust and groundless; and
‘ that many of the sailors on board these ships
‘ have been injuriously and barbarously imprison-
‘ ed and ill treated; and that thereby the liberty
‘ of navigation and commerce, belonging to his
‘ Majesty’s subjects by the law of nations, and
‘ by virtue of the treaties subsisting between the
‘ crowns of *Great Britain* and *Spain*, hath been
‘ unwarrantably infring’d and interrupted, to the
‘ great loss and damage of our merchants, and
‘ in direct violation of the said treaties.

‘ 3. Resolved, that it appears to this house,
‘ that frequent applications have been made, on
‘ the part of his Majesty, to the court of *Spain*,
‘ in a manner the most agreeable to treaties, and
‘ to the peace and friendship subsisting betwixt
‘ the two crowns, for redressing the notorious
‘ abuses and grievances before-mentioned, and
‘ preventing the like for the future, and for ob-
‘ taining adequate satisfaction to his injur’d sub-
‘ jects; which, in the event, have prov’d entirely
‘ fruitless and of no effect.’

Lord *Carteret* spoke to the following effect.

Lord *Carteret's* speech

‘ My Lords,

‘ The noble Lord has been pleased to give the
 ‘ house a very accurate, and I believe a very just,
 ‘ detail of the treaties upon which our right to
 ‘ a free navigation in the *American* sea is founded.
 ‘ His Lordship has shewed us how far these
 ‘ rights have been encroached on, and what me-
 ‘ thods have been used by his Majesty for pro-
 ‘ curing redress; but, my Lords, I must beg
 ‘ leave to observe, that our knowing these rights
 ‘ is to no purpose, unless we fall upon a speedy
 ‘ and an effectual way to secure them; and I
 ‘ humbly conceive our agreeing to the resolutions
 ‘ presented to the house by the noble Lord
 ‘ can never answer that end. There is one point
 ‘ in dispute, my Lords, betwixt us and the *Spaniards*, which, if adjusted, must either leave us
 ‘ in the quiet and uninterrupted exercise of navi-
 ‘ gation and commerce, or must leave to *Spain* an
 ‘ absolute and uncontrollable sovereignty of these
 ‘ seas. The *Spanish* court says, “ *We have a*
 ‘ “ *right to search your ships.*” But *no search* are
 ‘ the words that echo from shore to shore of this
 ‘ island. This, my Lords, is what we ought to
 ‘ insist upon; for without this concession, all
 ‘ other concessions from the *Spanish* court are to
 ‘ no purpose.

‘ The treaty commonly called the *American*
 ‘ treaty, which was concluded in the 22d year
 ‘ of King *Charles II.* was a treaty separate from
 ‘ the treaty concluded three years before; nor
 ‘ is there one word of it that has a retrospect
 ‘ to that treaty; and, my Lords, the confound-
 ‘ ing these two treaties together is the reason
 ‘ why the *Spanish* ministers and ours seem to
 ‘ be equally in the dark, with regard to the affair
 ‘ in

‘ in question. But, my Lords, we need only
‘ look into the eighth article of that treaty which
‘ the noble Lord has been pleased to read, and
‘ we shall find that there can be no such thing as
‘ contraband goods betwixt us and the *Spaniards*;
‘ because there can be no such thing as commerce
‘ carried on betwixt our subjects and theirs, and
‘ consequently there cannot be the least shadow of
‘ a pretence to a search on that account; and when
‘ that pretence is cut off, all the subject of dif-
‘ ference betwixt us and that nation is done a-
‘ way; for it is impossible for us to have any
‘ other difference. My Lords, this is a point
‘ so plain, that it is to me amazing that our mi-
‘ nisters at the *Spanish* court should omit it in their
‘ memorials, that the *Spaniards* themselves should
‘ overlook it, and that our merchants in the
‘ many applications they have made, to the
‘ King, to the Council, and to Parliament, have
‘ never once mentioned it. By the first of the
‘ two treaties made in the 20th and 23d of the
‘ reign of King *Charles* II. the regulations of
‘ commerce betwixt us and *Spain*, being princi-
‘ pally intended to settle the trade betwixt *Old*
‘ *Spain* and *England*, the *Spaniards* no doubt
‘ have a right to search any ship which they
‘ find upon their coasts, and which they suspect
‘ of carrying prohibited goods, because every
‘ nation has an undoubted right to lay what pro-
‘ hibitions they please upon the commodities pro-
‘ duced by their own country, and likewise on
‘ the commodities imported to their own country,
‘ unless by some particular stipulations with other
‘ nations they are bound up from making such
‘ prohibition. They are likewise at liberty to
‘ prohibit such and such goods from being im-
‘ ported or exported on such and such bottoms.
‘ But, my Lords, these prohibitions of particular
‘ commodities always pre-suppose that it is lawful

‘ for this, or any other nation, to trade with that
‘ nation in other commodites. For this reason,
‘ my-Lords, every nation has an undoubted right
‘ to prevent every infringement in this regulation
‘ of her commerce, and consequently to search
‘ all suspected ships whom she shall find on her
‘ coasts. But, my Lords, when two nations are
‘ at peace together, and amicably agree that they
‘ shall have no trade, no intercourse, no com-
‘ merce with one another, to suppose that either
‘ of these nations hath a right to search the ships
‘ of the other, is to suppose what is inconsistent
‘ with common sense. For, from whence have
‘ you this right? From any particular stipulation
‘ betwixt you and us? No. No such thing can
‘ be pretended. Does it arise from a suspicion
‘ that we break in upon the laws of commerce
‘ regulated among yourselves? No, that would
‘ be absurd; because we have no access to your
‘ country, and therefore can never, either import
‘ or export any commodity that is prohibited by
‘ your laws. Again, does this right to search
‘ our ships obtain from custom or sufferance?
‘ That we deny; nor can you prove that you
‘ ever enjoy’d any such privilege till you usurp’d
‘ it of late; and since you did usurp it, we have
‘ continually complain’d. At least, my Lords,
‘ the trading part of our nation has complain’d of
‘ it as an innovation and an encroachment upon
‘ the freedom of navigation and commerce:
‘ And, my Lords, if this is a point hitherto un-
‘ determined by any publick act betwixt the *Spa-*
‘ *niards* and us, this is the proper time for settling
‘ it; and I dare say, the thing is so plain and so
‘ reasonable in itself, if our minister at the *Spanish*
‘ court shall represent it in the light in which
‘ I have already viewed it, the King of *Spain*
‘ will be of opinion that we have fallen upon the
‘ only and the true method of preserving a good
‘ under-

‘ understanding betwixt the two crowns. For,
‘ give me leave to say it, our insisting that no
‘ search, upon any pretence whatsoever, be made,
‘ can never do any prejudice to the interests of
‘ the *Spanish* court, it can never break in upon
‘ the regulations of their commerce, it can never
‘ violate any treaty subsisting between them and
‘ us, because we still allow the 8th article, which
‘ is of the greatest importance, to be in full
‘ force; and our coming to a resolution on this
‘ head is only saying, in other words: “ We do
“ not pretend to disturb you (*the Spaniards*) in
“ putting these regulations in force, which you
“ have a right to make with every nation with
“ whom you trade: Therefore we are willing
“ you should enjoy all the advantages of the
“ treaty made in the 19th year of King *Charles II.*
“ we are willing you shall enjoy all the advan-
“ tages of the treaty concluded three years after;
“ we are willing you should enjoy a commerce
“ with your own settlements in *America*, exclusive
“ of us and all other nations. But because we
“ are willing you should enjoy these advantages,
“ we must take care that they are not used to our
“ detriment; we must take care that the trading
“ part of our subjects be secured in the privileges
“ to which they are entitled by treaties; and we
“ must take care not to suffer so material a point
“ to remain longer undetermined, especially as
“ you seem to claim, as a right, what is founded
“ neither upon common reason, the laws of na-
“ tions, nor the particular treaties subsisting be-
“ tween the two crowns.” But, says the court
‘ of *Spain*, (for, my Lords, I would not leave
‘ one shadow of an objection which they could
‘ raise, unanswer’d,) *How shall we prevent your*
‘ *carrying on a clandestine trade with our settle-*
‘ *ments? Or how can we discover when such a*
‘ *trade is carried on or not, but by searching your*
‘ *ships,*

‘ ships, and satisfying ourselves if any of our com-
‘ modities are on board? “ Yes, answer we, you
“ may ; seize them in your harbours, seize them
“ in your ports ; seize them in your towns and
“ countries where they trade ; if you seize them
“ there, the grounds of your confiscation are
“ good : For their very being there, unless for
“ the reasons mention’d in the 10th article,
“ though they did not trade to the value of one
“ shilling, makes their ships and cargoes your
“ lawful prize. Our crown never pretended to
“ protect smugglers, and by agreeing to the 8th
“ article of this treaty, it in effect impowers you
“ to do yourselves justice upon all who violate it.
“ But we never can pretend to account for what
“ our private subjects may do to your prejudice ;
“ it is your affair to look to that ; only take care
“ of it at a proper time, in a proper way, and in
“ a proper place ; and don’t make the innocent
“ suffer for the guilty : Don’t, because, perhaps,
“ you yourselves have suffered by the practice of
“ a few smugglers of our nation, make the fair
“ trader liable for these practices, nor usurp a
“ sovereignty of these seas exclusive of us.”
‘ Thus, my Lords, we answer all the objections
‘ which the *Spaniards* can make on this head,
‘ and yet grant them all they can have the least
‘ shadow to claim, either by the law of nations
‘ or particular treaties. Let us therefore, my
‘ Lords, make such a resolution, let the *Spa-*
‘ *niards* see that we intend to do both them and
‘ ourselves justice ; and in that case, my Lords,
‘ I dare answer for it, we shall have no occasion
‘ for entering into a war : We shall have no occa-
‘ sion for prolonging or multiplying treaties ; we
‘ shall have no occasion to put the nation to the
‘ expence of sending over commissioners for re-
‘ gulating our affairs of commerce ; but if we do
‘ not come to such a resolution, we may, indeed,
‘ puzzle

‘ puzzle out a war ; yet when that war is over,
‘ and when we have run two or three millions
‘ more into debt, unless we make this the main
‘ point, we shall find ourselves as far from our
‘ purpose as ever.

‘ My Lords, the *American* treaty is a treaty
‘ which we did not grant to the *Spaniards*, but
‘ after many solicitations, and for very valuable
‘ considerations ; it was granted, my Lords, in
‘ discharge of two millions of just debt, at that
‘ time due by the crown of *England* to that of
‘ *Spain* ; and I could heartily wish that we could
‘ defray two millions of our national debt at pre-
‘ sent by granting such another treaty. It was
‘ look’d upon at that time, my Lords, by the
‘ *Spaniards* as the only means of securing to
‘ themselves the valuable advantages they reap
‘ from their possessions in *America*. They were
‘ therefore very well pleased, and, I believe,
‘ very thankful for the concessions we had made ;
‘ nor do we find one instance, my Lords, during
‘ the reigns of King *Charles* II. King *James* II.
‘ King *William* III. or Queen *Anne*, of any one
‘ ship being seized on these seas on pretence of
‘ having prohibited goods on board in time of
‘ peace. So that, my Lords, this claim of the
‘ *Spaniards* is of a very late date, and very pro-
‘ bably trump’d up to serve the interests of the
‘ owners of the *Guarda Costa*’s, who may have
‘ imposed on the court of *Spain* by misrepresenta-
‘ tions of facts. For, give me leave to observe,
‘ my Lords, that these *Guarda Costa*’s do not be-
‘ long immediately to the crown of *Spain* : No ;
‘ sometimes they are fitted out by the merchants
‘ of *Spain*, sometimes by the *Spanish* inhabitants
‘ of *America*, and sometimes by the governors of
‘ their settlements there. Such a variety of in-
‘ terests combining to support them, it is no won-
‘ der, my Lords, if they have a strong interest

' at the *Spanish* court, whose ministers may be
 ' misled either by interest or ignorance to protect
 ' them. But if we should put it fairly to them:
 " Are you resolved to search every ship you meet
 " with in these seas? Are you resolved to confis-
 " cate every ship which shall have on board any
 " of your specie or commodities?" If they shall
 ' answer, No; the matter is so far adjusted be-
 ' twixt us. But then, my Lords, it may be
 ' per to add (and it is, to be sure, a natural con-
 ' sequence of this resolution) " If you can claim
 " no just right, if it is founded neither upon trea-
 " ties nor allow'd by practice, and if it was not
 " the intention of the contracting powers when
 " this treaty was made, that such a right should
 " be inferred from any of its articles; by what
 " authority, pray, have you exercised it so long?
 " How are our subjects to be indemnified for the
 " many depredations and violences they have
 " suffered? Or how is the law of nations to be
 " satisfied for these proceedings? If they were
 " not authorized by your court, it must give the
 " offender up to justice, and our merchants must
 " be indemnified out of the effects of the delin-
 " quents. But if you cannot deny that they
 " were protected by your court, it becomes a na-
 " tional concern, and your crown must indemnify
 " us, let it seek its relief elsewhere." This, my
 ' Lords, is the common way of reasoning amongst
 ' men in matters of private property; I think it
 ' has always been a just way of reasoning, and
 ' I hope that it never will be neglected by Princes
 ' in matters of publick concern.
 ' If the *Spaniards*, my Lords, should insist
 ' upon a right of searching all ships in general;
 ' if, contrary to our expectations, they should
 ' pay no regard to the law of nations or their
 ' own faith, yet still we shall gain this advantage,
 ' that we shall make it the common cause of all
 ' the

‘ the nations in *Europe* who are possess’d of one
‘ foot of ground in *America*. When *France* sees
‘ them make such a wild and unwarrantable
‘ claim, she will think it time for her to strike in;
‘ she will think that what is the case of *Britain*
‘ to-day, may be that of *France* to-morrow.
‘ The *French*, my Lords, as a people who subsist
‘ by trade, and who have reason to be jealous
‘ of every innovation that is introduced in it, will
‘ consider our cause as their own, and will look
‘ upon the success of this affair as what may one
‘ day determine the fate of their own commerce,
‘ both to their western and eastern settlements.
‘ For, my Lords, give me leave to observe, that
‘ this is a point that does not affect this particular
‘ branch of trade only, but it affects all the trade
‘ which is carried on betwixt any nation in *Europe*
‘ and their foreign settlements. For instance,
‘ my Lords, if we are more powerful in the
‘ *East-Indies* than the *Dutch*, or the *French*, or
‘ any other *European* people who have settlements
‘ there, have we not as good a reason to insist
‘ upon a search of their ships, lest they should
‘ carry on a prohibited trade with our factories
‘ there? Have we not as good a right to make
‘ ourselves judges what courses their ships shall
‘ hold on these seas? Have we not as good
‘ a right to confiscate their ships and cargoes, as
‘ the *Spaniards* have to treat us in the same man-
‘ ner in *America*? My Lords, I should be glad
‘ to hear any argument that could be advanced
‘ against such a practice in one part of the world,
‘ that does not hold equally good in another part.
‘ But, my Lords, let us suppose that no such
‘ claim is made by any other nation, in any other
‘ place in the world, but by the *Spaniards* in
‘ *America*, what must the consequence of this
‘ demand of theirs be, with regard to the trade
‘ carried on there by other nations of *Europe*?

‘ We all know that the consumpt of every peo-
 ‘ ple must be supplied, either by the product and
 ‘ manufactures of their own country, or by the
 ‘ commodities which they purchase from their
 ‘ neighbours. But, my Lords, when any of
 ‘ their neighbours are possess’d of a commodity,
 ‘ which they think they could not be possess’d of
 ‘ otherwise than by an illicit trade with their set-
 ‘ tlements, is that a just reason for searching, and
 ‘ arbitrarily confiscating that neighbour’s ship?
 ‘ My Lords, this would set all the nations of
 ‘ *Europe* by the ears with one another. For no
 ‘ doubt the *Dutch*, the *French*, the *English*, the
 ‘ *Spaniards* themselves living in *America*, are
 ‘ obliged to trade with one another there to sup-
 ‘ ply themselves with the common necessaries of
 ‘ life; and it is a certain fact, that there is no-
 ‘ thing more ordinary than for the *Spanish* go-
 ‘ vernors in *America* to permit, to protect, and
 ‘ to pay *British* ships for importing into their set-
 ‘ tlements those commodities that enter into the
 ‘ common necessaries of life, without which their
 ‘ inhabitants must starve. For such is the genius
 ‘ of the *Spaniards* in *America*, so much are they
 ‘ over-run with luxury, ease, and pride, support-
 ‘ ed by a great affluence of money, that they
 ‘ cannot apply themselves to the ordinary arts of
 ‘ life, as other people do, and for that reason
 ‘ they must purchase conveniencies and necessaries
 ‘ with money, or they must want them. So
 ‘ that, my Lords, in effect, this prohibition of
 ‘ trade, if strictly and literally inforced, must
 ‘ either prove the ruin of the inhabitants in these
 ‘ settlements, or produce a general revolt against
 ‘ the Prince, who can be the only gainer by it;
 ‘ as it tends to prevent the exportation of specie
 ‘ into *Europe* any other way than by his register
 ‘ ships, and consequently secures to him an in-
 ‘ dulto of eleven or twelve *per Cent.* for all the
 ‘ specie

‘ specie thus imported. Were this claim of a
‘ right to search in the open seas, as asserted by
‘ *Spain*, allowed by other nations to be just, I
‘ should be glad to know by what means the
‘ *Dutch* could import one grain of sugar from
‘ *America* to *Holland*. A ship sails from their
‘ island of *St. Eustache*; a *French Guarda Costa*
‘ attacks and boards her; *From whence did you*
‘ *sail?* *From St. Eustache. Whither are you bound?*
‘ *To Holland. With what are you loaded?* With
‘ sugar. But, says the *Frenchman*, “ *St. Eustache*
“ does not produce one hoghead of sugar for its
“ own use; far less is it able to export any: You
“ must therefore have had it from *Martinico*, one
“ of our islands. You are therefore concerned in
“ an illicit trade, and as such we seize and confis-
“ cate your ship.” This way of reasoning, my
‘ Lords, is just as good in the mouth of a *French-*
‘ *man* to a *Dutchman*, as in that of a *Spaniard* to
‘ an *Englishman*. Does not every man, who has
‘ the least concern in commerce, know what vast
‘ quantities of *Spanish* gold and silver there are in
‘ *England*? And if a master of a vessel, or
‘ a passenger, or a merchant, or a sailor, should
‘ by chance carry from *England* one single piece
‘ of that specie, if we allow this claim of the
‘ *Spaniards* to be good, he himself, his crew, his
‘ ship, and his cargo, may be lawfully seized,
‘ the one to be confiscated, and the other impri-
‘ son’d, though not one person on board had ever
‘ set his foot on *American* ground, or had ever
‘ been within sight of its shores.

‘ The same thing, my Lords, may be said with
‘ regard to ships trading from one of our own
‘ colonies to another. A ship sails from *England*
‘ to *New-York*, she disposes of her cargo there
‘ in a fair way of trade, and receives payment
‘ for a great part of it in *Spanish* money: From
‘ *New-York* she coasts along southward to *Pensil-*
‘ *vania*,

‘ *vania, Virginia, and Carolina*, all the way only
‘ touching at our own settlements: Why, my
‘ Lords, it is possible, before she comes the length
‘ of *Jamaica*, that most, nay all her cargo, may
‘ be made up of *Spanish* money or commodities,
‘ and yet she all this time in a fair and lawful trade;
‘ and to make such a ship confiscable, I humbly
‘ conceive would be the ruin of our navigation and
‘ commerce in these seas.

‘ There is, my Lords, a very remarkable, and
‘ I think a very shuffling expression in the memo-
‘ rial delivered by the *Spanish* minister to our en-
‘ voy at that court. *The British ships*, says he,
‘ *are subject to confiscation, if it appears that*
‘ *they have designedly changed their course to make*
‘ *any of the Spanish coasts*. My Lords, this ex-
‘ pression betrays a downright ignorance of com-
‘ merce and maritime affairs, and is a proof of
‘ what I have advanced before, that the *Spanish*
‘ ministers are grossly imposed upon themselves,
‘ or it proves, that they want to impose upon us.
‘ For, almost in the same sentence, this very mi-
‘ nister allows that we have a right to sail from
‘ any one of our own settlements to another:
‘ Now every common tar can tell that it is im-
‘ possible for us to do that, without being ob-
‘ liged to make the *Spanish* coasts, and to come
‘ within sight of their land, be the caution of
‘ the master of the ship never so great. In sail-
‘ ing from *New England*, don’t we take the
‘ windward passage? Thereby we have the *Spa-*
‘ *nish* island of *Cuba* in sight on the one side, and
‘ the *French* part of the island of *Hispaniola* on
‘ the other. In sailing from *Barbadoes* to *Jamai-*
‘ *ca*, if we sail in a direct line, we are obliged
‘ to make the coasts of the *Spanish* part of the
‘ same Island; and in sailing from *Jamaica* to
‘ any of our northern colonies in *America*, we
‘ shall be obliged to sail either upon their coasts,
‘ or

or in what they call their latitude, for a great part of the voyage. Besides, my Lords, those who are acquainted in those affairs tell us, that the navigation on these seas is so uncertain, that it is impossible for the most expert sailor that ever was to be sure of his course without making land: because, before they see land, they do not know what tides and what winds they are to meet with. In certain latitudes, my Lords, the tides are so strong that, notwithstanding all the ship's crew can do, their ship is borne by its violence within sight of land of the *Spanish* coasts; nay, close to their very shores. How barbarous therefore, my Lords, would it be in the *Spaniards* to seize and confiscate a ship in such circumstances! And how weak would it be in us to allow them any such right! Yet, my Lords, unless we obtain the concession from them of *no search, be the grounds and pretences what they will*, we, in effect, give them such a right: Because if we admit of one exception, of one restriction on their parts, there is not a ship of ours that trades lawfully on these seas, but what must necessarily fall within such exceptions, and under such restrictions, as will make her a lawful prize. Besides, my Lords, an absolute concession of this point from the *Spaniards* takes away all chicane, it takes away all altercations, it takes away all grounds of dispute betwixt us and them, about latitude, possessions, prohibited goods, and all that. Thereby, my Lords, we do justice to them, we do justice to ourselves, we leave them in full possession of all the advantages to which they are intitled by treaty; we leave them in possession of the exclusive right of trading to their own settlements, so far as it is consistent with the treaty for *Negroes*; we do not deny their right to seize our ships

when-

‘ whenever found trading in their ports and harbours ; and this, my Lords, is all that we can prudently grant, or they justly demand.

‘ My Lords, I have waved touching on the right we have to cut logwood in the bay of *Campeachy* and other claims we have on the continent of *America* ; because our asserting these claims to be just, and entering into a discussion of our rights, is not the business now before us. I shall only observe, that if these rights are well founded (as I believe no *Englishman*, nor *Spaniard* either, will deny they are,) the reasons I have already advanced against the pretences of *Spain*, will hold much stronger with regard to ships sailing from any one of our colonies to these places, than with regard to ships sailing from any of our own colonies to another : Because these places lie in the very heart of the *Spanish* settlements, and in the very bosom of the bay of *Mexico* ; and unless we come to the resolution I have insisted on, it would be much better for us to give them up, than to keep them.

‘ I shall trouble your Lordships no farther ; only, I shall observe that what I propose is the most likely way to prevent the incroachments of the *Spaniards*, not only upon us, but upon other nations of *Europe*. There is not a *Dutch* skipper who won’t tell us, that *no search* is the only remedy to be applied in this case ; *no search*, my Lords, is a cry that runs from the sailor to the merchant, from the merchant to the Parliament, and from Parliament, my Lords, it ought to reach the Throne. Wherefore, my Lords, I humbly move that the following words may be added to the noble Lord’s first resolution :

‘ *And that the searching of such ships on the open seas, under pretence of their carrying contraband*

‘ *traband or prohibited goods, is a violation and*
 ‘ *infraction of the law of nations, and of the*
 ‘ *treaties subsisting betwixt the two crowns.*’

The Lord Chancellor sitting at some distance from the Lord Carteret, thought the latter had mov’d that the words of the amendment should be inserted, instead of the latter part of the resolution proposed by the Earl of Cholmondley, viz. *and that no goods so carried are, by any treaty subsisting between the crowns of Great Britain and Spain, to be deemed or taken as contraband or prohibited goods.* Upon which he arose and said,
 ‘ He thought that if they substituted the latter
 ‘ words in place of the former, they would make
 ‘ a very bad exchange; because it would look as
 ‘ if they designed to impose arbitrary terms up-
 ‘ on the *Spaniards* without assigning any reason;
 ‘ that their resolving that no goods carried to
 ‘ and from any part of his Majesty’s dominions,”
 ‘ sufficiently implied, that the *Spaniards* had no
 ‘ right to search our ships, and therefore was a
 ‘ much more proper resolution for them to come
 ‘ to, than if they should admit of the noble
 ‘ Lord’s amendment, which would seem to im-
 ‘ ply, that, though they did carry on an illicit
 ‘ trade, yet a search was unlawful.’

Upon this the Lord Carteret rose, and spoke to the following purpose.

‘ My Lords,

‘ It was never my intention that any part of
 ‘ the resolution laid before this house, by the no-
 ‘ ble Lord who spoke first, should be omitted;
 ‘ but I am of opinion, that the addition I pro-
 ‘ pose is a necessary amendment to that resolu-
 ‘ tion, and that it is becoming the dignity and
 ‘ authority of this house to declare, in the most
 ‘ express terms, not only the rights which we
 ‘ ourselves

Lord Carteret
speaks again.

‘ ourselves have, but likewise what rights the
 ‘ *Spaniards* have usurp’d; and to shew them, that
 ‘ however they have either designedly or igno-
 ‘ rantly mistaken the sense of the treaties subsist-
 ‘ ing betwixt us, yet we are resolved to assert our
 ‘ just claims, and not to leave them the least
 ‘ shadow or pretence to a search for the future.’

The Lord Chancellor then proceeded in the following terms.

‘ My Lords,

Lord Chan-
 cellor’s
 speech.

‘ I am as sensible of the many insults and in-
 ‘ juries we have received from the *Spaniards*, and
 ‘ should be as willing to come into those mea-
 ‘ sures that may be proper to bring them to a
 ‘ sense of the wrongs they have done us, as any
 ‘ Lord in this house. But, my Lords, I think if
 ‘ we come to a resolution on that head, it ought
 ‘ to be a resolution rather in general than in par-
 ‘ ticular terms; it ought to be a resolution that
 ‘ we can have no reason afterwards to depart
 ‘ from, and it ought to be a resolution our adhe-
 ‘ rence to which can never afterwards imbroider us
 ‘ with any of our neighbours. The amendment
 ‘ which the noble Lord has offered, though I
 ‘ extremely approve of his Lordship’s zeal, may,
 ‘ I am afraid, be attended with some of these
 ‘ inconveniencies; because I humbly conceive,
 ‘ that there are certain cases wherein any nation,
 ‘ though at peace with another, may, by the law
 ‘ of nations, enter and search the ships of the o-
 ‘ ther; nor can the nation to which the ship so
 ‘ searched belongs, deem such a search a viola-
 ‘ tion either of the law of nations, or of particu-
 ‘ lar treaties in force.

‘ I think, my Lords, it never was disputed,
 ‘ but that, by the law of nations, the ships of
 ‘ one people at peace with another might be
 ‘ searched,

' searched, in case that other people was carrying
 ' arms, or provisions of war to a nation then at
 ' war with that other nation. Now, my Lords,
 ' I am afraid that our declaring the searching of
 ' all ships belonging to *Great Britain*, to be an
 ' infraction and violation of the treaty subsisting
 ' betwixt the *Spaniards* and us, will be very justly
 ' look'd upon by the court of *Spain*, as preclu-
 ' ding them of the rights of a search, to which
 ' they are intitled by the law of nations, and
 ' may produce a misunderstanding betwixt us,
 ' which we would all heartily wish to avoid, and
 ' could not be attended with very honourable cir-
 ' cumstances on our part: However, my Lords,
 ' I am very far from proposing any thing that
 ' could in the least damp that becoming ardour,
 ' which the nation in general has shewed upon
 ' this occasion, to assert her rights, and to re-
 ' venge her injuries. Nay, I should rather chuse
 ' to err on the other side, and if your Lordships
 ' shall think that the resolution as amended by
 ' the noble Lord who spoke last, is most proper
 ' to attain the desired ends of satisfaction for past,
 ' and security from future injuries, I am sure, I
 ' shall be far from objecting to the noble Lord's
 ' amendment; all that I suggest is, that if there
 ' are two methods in which we can form our re-
 ' solution, both equally effectual, and equally
 ' answering the great purpose of our meeting,
 ' we ought to chuse that method which is subject
 ' to fewest inconveniencies and objections.'

The Lord *Carteret* reply'd, in the following terms.

' My Lords,
 ' I should be sorry if the amendment I have
 ' proposed should be attended with the inconve-
 ' niencies and consequences which the noble Lord
 ' who

Lord Carteret's reply.

‘ who spoke last seems to apprehend, and I am
‘ obliged to the noble Lord, for giving me this
‘ opportunity to shew the house, that if the in-
‘ convenience his Lordship has suggested is the
‘ only one with which the proposed amendment
‘ can be attended, it is not liable to any objec-
‘ tion. The noble Lord is apprehensive that the
‘ resolution, as amended, seems to take away
‘ from the *Spaniards* some of those rights to which
‘ they are intitled by the law of nations. And
‘ let me add, my Lords, that if his Lordship’s
‘ apprehensions are just, it takes from them the
‘ privileges to which they are intitled by parti-
‘ cular treaties. But, my Lords, if the noble
‘ Lord had been pleased to consider the words of
‘ the amendment a little more attentively, he
‘ must have found that the infraction and viola-
‘ tion were to be committed *by searching such ships*:
‘ What ships? Why, my Lords, the ships that
‘ are navigating in the *American* seas, and carry-
‘ ing on a commerce to and from any part of his
‘ Majesty’s dominions. Now, my Lords, *such*
‘ ships can never have any contraband goods on
‘ board, unless we are at war with the *Spaniards*;
‘ and in that case, my Lords, they will seize
‘ them, whatever be their cargo. Contraband
‘ goods, my Lords, are only to be understood of
‘ provisions of war and arms, that are carried
‘ from one nation to another who is at war with
‘ the nation that intercepts the ship having such
‘ goods on board. Therefore, my Lords, the
‘ resolution can never affect such a case, because
‘ the words of the amendment only extend to
‘ those ships, which are trading to or from his
‘ Majesty’s dominions. But, my Lords, there is
‘ not an expression in the whole resolution, as it
‘ stands amended, which can imply, that in case
‘ one of our ships should be failing to or from
‘ any part of the dominions of *France*, to or from
‘ any

‘ any part of the *Dutch* dominions, to or from
 ‘ any part of the *Danish* dominions, the *Spaniards*
 ‘ have no right to search such a ship when she
 ‘ comes in their way, while any of these nations
 ‘ are at war with *Spain*. No, my Lords, our a-
 ‘ greeing to the proposed amendment can never
 ‘ affect any of these cases, and therefore preserves
 ‘ to the *Spaniards* all the rights to which they are
 ‘ intitled by the law of nations, and the treaties
 ‘ subsisting betwixt the two crowns.’

The question going to be put, If the whole
 first resolution, as it stood amended, should be
 agreed to, the Earl of *Cholmondley* spoke to the
 following purpose.

‘ My Lords,

‘ As the noble Lord seems to think, that the
 ‘ amendment he has proposed will be a very Earl of Chol-
 ‘ great improvement upon the first resolution, mondley's
 ‘ which I had the honour to lay before the house; speech.
 ‘ and as I am of opinion that it can do it no
 ‘ harm, I am in the main very willing to concur
 ‘ with the resolution as amended by the noble
 ‘ Lord. But, I hope I may be pardon'd, if I
 ‘ object against one expression in the amendment;
 ‘ the expression, my Lords, is, that the searching
 ‘ our ships *is against the law of nations*. The no-
 ‘ ble Lord himself, I think, seem'd to admit that
 ‘ the *Guarda Costa's*, whom we so much and
 ‘ with so great reason complain of, and who
 ‘ were the authors of all the insults committed
 ‘ upon our navigation there, are not ships be-
 ‘ longing to the crown of *Spain*. Therefore, my
 ‘ Lords, the violences they commit must not be
 ‘ imputed to his Catholick Majesty; and it would
 ‘ be a very exceptionable way for us to express
 ‘ ourselves, should we say that the actions of a
 ‘ few private men, who are no better than pi-
 ‘ rates,

‘ rates, can violate the laws of nations. If, in-
‘ deed, they acted by orders from the court of
‘ *Spain*, or if the *Spanish* court should say exprefs-
‘ ly that ſhe will protect and encourage them in
‘ ſearching our ſhips, who are in a fair trade be-
‘ twixt one part of his *Britannick* Maſteſty’s domi-
‘ nions and another, that court would then vio-
‘ late the law of nations, becauſe ſhe would give
‘ her ſanction to a practice that muſt be unjuſt,
‘ even though no treaty of commerce ſubſiſted
‘ betwixt *Spain* and *Great Britain*. But, my Lords,
‘ by the treaty of *Utrecht*, no private differences
‘ betwixt the ſubjects of the two crowns, on theſe
‘ or any other ſeas, are to be deem’d a ſufficient
‘ ground even to make reprisals, until the com-
‘ plaints of the reſpective parties have been laid
‘ before the courts to which they belong, or war
‘ is declared betwixt the two crowns. If, my
‘ Lords, after we have, in the reſolutions now
‘ before us, aſſerted poſitively what our juſt rights
‘ are, the court of *Spain* ſhould deny them to be
‘ ſuch; there is no doubt, but that in ſuch a caſe
‘ we ſhould be obliged to vindicate the law of
‘ nations, and the honour of our own nation.
‘ But, my Lords, I ſhall not agree to our reſolving
‘ that the law of nations is violated by what is in
‘ the power of a few private men to commit eve-
‘ ry day. Therefore, my Lords, I humbly move,
‘ that the amendment propoſed may ſtand thus:
‘ *And that the ſearching of ſuch ſhips on the open*
‘ *ſeas under pretence of carrying prohibited goods, is*
‘ *a violation and infraction of the treaties ſubſiſting*
‘ *between the two crowns.*’

The queſtion being put upon this motion, and then upon the whole firſt reſolution, it paſt without any diviſion; and then the queſtion was put upon the ſecond reſolution, which paſs’d without any debate or diviſion likewise; but the queſtion being

being put upon the third resolution, Lord *Bathurst* spoke to the following purport :

‘ My Lords,

‘ I am far from intending, by any thing which Lord *Ba-*
 ‘ I am to trouble your Lordships with, to throw *thurst's*
 ‘ in any obstacle that may prevent our coming to *speech*
 ‘ those resolutions that are most proper, both for
 ‘ obtaining all reasonable satisfaction from the
 ‘ *Spaniards*, and supporting the influence which
 ‘ the authority of this house ought to have both
 ‘ at home and abroad. Your Lordships have al-
 ‘ ready agreed to two resolutions, which I think
 ‘ to be extremely proper, and may very much
 ‘ contribute to answer both these ends. But, my
 ‘ Lords, since I have heard what has been urg’d
 ‘ by the two noble Lords who spoke first on this
 ‘ affair, have heard the rights of our nation to a
 ‘ free commerce and navigation in *America* fairly
 ‘ stated, and have heard it prov’d, beyond the
 ‘ possibility of a reply, that these rights have
 ‘ been notoriously invaded and violated, I cannot
 ‘ help being amazed that such a heap of memo-
 ‘ rials, such packets of letters, and so many vo-
 ‘ lumes, I may say, of credentials, should pass
 ‘ about a matter in itself so very clear, so very
 ‘ evident. Is it not surprizing, my Lords, that for
 ‘ these twenty-three years (for so long has the tra-
 ‘ ding part of our nation complain’d of the *Spanish*
 ‘ depredations) none of our negotiators, none of
 ‘ our ministers, none of our ambassadors have hit
 ‘ upon so plain a fact, as is contained in the first
 ‘ resolution we have now agreed to : A fact, my
 ‘ Lords, that appears upon the face of the very
 ‘ treaties that regulate all the commerce betwixt
 ‘ us and the *Spaniards*, both in *Europe* and *Ameri-*
 ‘ *ca*. This, my Lords, give me leave to say it,
 ‘ must create in me a suspicion, that the persons
 ‘ who (to use the words of the resolution now

‘ under our consideration) made the frequent
‘ applications on the part of his Majesty to the
‘ court of *Spain*, either did not or would not un-
‘ derstand these treaties, or never looked into
‘ them. I should be sorry, my Lords, to suppose
‘ that it was the interest of any of our negotiators
‘ to prolong the negotiations on this affair; I
‘ should be yet more sorry, to suppose that the
‘ pusillanimity of any of our ministers at this
‘ court, from whom our ministers abroad receive
‘ their directions, ty’d them up from putting it
‘ home to the *Spanish* court, and requiring a po-
‘ sitive and a decisive answer. But I think, my
‘ Lords, I may venture to say, that if we had
‘ behav’d in this affair with a spirit and resolu-
‘ tion becoming *Englishmen*, our credit had never
‘ sunk so low, nor our discontent at home risen
‘ so high. The worst consequences that could
‘ have attended such a behaviour on our part,
‘ must have been a war; and that too, my Lords,
‘ a war upon an element where we were sure to
‘ be masters. By such a war we might have
‘ gain’d, but never could have lost, at least, we
‘ never could have lost near so much as we have
‘ lost for some years past, by a peace more de-
‘ structive as well as more dishonourable in its
‘ consequences, than the most unsuccessful war.
‘ If, my Lords, it should be objected to this,
‘ that we ought to be cautious how we enter into
‘ a war with *Spain*, because we don’t know what
‘ part some of our neighbours may act in that
‘ event, I should be glad to be inform’d of any
‘ who shall make such an objection, why we are
‘ not to suppose that, in case of a war, our most
‘ powerful neighbours will not be as ready to act
‘ in favour of *Great Britain* as in favour of *Spain*.
‘ I hope, my Lords, sufficient care is taken to
‘ strengthen us with such alliances, as may enable
‘ us to make as good a figure in case of a war
‘ in

‘ in *Europe*, as we have formerly made; and, I
‘ hope there has been nothing to our prejudice
‘ concerted betwixt the court of *Spain* and any
‘ other court, that has escaped the vigilance of our
‘ ministers. I dare say, my Lords, none of these
‘ will be pleaded as reasons why we have so long
‘ and so tamely put up with the injuries and insults
‘ we have met with from *Spain*; far less can it be
‘ pleaded that his Majesty has not a sufficient re-
‘ venue, to defray all the expences that can attend
‘ our ministers having a due influence in the
‘ courts of *Europe*, or procuring the best intelli-
‘ gence of every thing that may affect the honour
‘ and interest of this kingdom.

‘ The resolution which is at present under our
‘ consideration, imports, that this house is sa-
‘ tisfied with all the steps taken by our minister
‘ at the *Spanish* court, to procure a just satisfac-
‘ tion for our injured merchants; for nothing less
‘ can be imply’d by these words, *That it appears*
‘ *to this house, that frequent applications have been*
‘ *made on the part of his Majesty to the court of*
‘ *Spain, in a manner the most agreeable to treaties*
‘ *and to the peace and friendship subsisting betwixt*
‘ *the two crowns.* But, my Lords, I own, when
‘ I examine the instructions that have been sent
‘ to our ministers at the court of *Spain*; when I
‘ examine the memorials that have, in conse-
‘ quence of these instructions, been deliver’d in
‘ by them to that court, and when I examine the
‘ *Spanish* minister’s answers and our minister’s re-
‘ plies; I say, when I examine all these, I can-
‘ not help having some difficulty in giving my
‘ concurrence to this resolution. In one of the
‘ answers, the *Spanish* minister is pleased to ad-
‘ vance, *That there is no mention made of the Ame-*
‘ *rican trade in any article of the treaty concluded*
‘ *in the twentieth year of King Charles II. except*
‘ *in the eighth article, where, continues he, as*

‘ well with regard to the Indies as to other coun-
‘ tries, all that is granted by the treaty of Mun-
‘ ster in the twenty third year of King Charles II. is
‘ granted to Great Britain and her ships without
‘ any distinction, upon their observing the laws and
‘ restrictions to which the subjects of the United
‘ Provinces are limited and confined. This last con-
‘ dition proves that whatsoever is stipulated and
‘ granted to the subjects of the United Provinces,
‘ cannot be refus’d to the English ; but it proves
‘ at the same time, that they on their part are ty’d
‘ down to the observance of those laws, to which
‘ the subjects of the United Provinces are oblig’d by
‘ the treaty of Munster. These, my Lords, are
‘ the words of the *Spanish* minister in his memo-
‘ rial to Mr. Keene, our resident at the *Spanish*
‘ court. But, my Lords, they contain a piece
‘ of very strange sophistry. The *Dutch*, says
‘ he, are ty’d down to certain regulations in the
‘ *American* trade, and the subjects of *Great Bri-*
‘ *tain* upon their observing these regulations are
‘ entitled to the same advantages. My Lords,
‘ any man that talks in that strain, must suppose
‘ the person to whom he talks a fool, or some-
‘ thing worse than a fool. For there is no man
‘ who has ever look’d into that treaty, but must
‘ see that the *Dutch* are indeed ty’d down to cer-
‘ tain restrictions in the *European* and the *East-In-*
‘ *dian* trade with *Spain* ; but it puts them upon
‘ the very same footing with regard to the *Ame-*
‘ *rican* trade, upon which the treaty concluded in
‘ the twenty-third of *Charles II.* puts us. So
‘ that, my Lords, the laws to which the *Spanish*
‘ minister says we are ty’d down, must be those
‘ that are applicable to the commerce in *Europe*.
‘ Indeed, my Lords, when I first read this pas-
‘ sage in the *Spanish* memorial, I thought there
‘ must be some particular stipulation betwixt
‘ the *Spaniards* and *Dutch* by the treaty of *Mun-*
‘ *ster* :

‘ *ster* : But when I came to look into that treaty,
‘ I found an article in it that destroys the possi-
‘ bility of any such regulations, with regard to
‘ the navigation and commerce in *America* ; for
‘ the sixth article of that treaty runs thus :

‘ *And as to the West-Indies, the subjects and*
‘ *inhabitants of the kingdoms, provinces, and lands*
‘ *of the said Lords, the King and States, respective-*
‘ *ly, shall forbear sailing to, and trading in any of*
‘ *the harbours, places, forts, lodgments, or castles,*
‘ *and all others possess’d by one or the other party,*
‘ *viz. the subjects of the said Lord the King shall*
‘ *not sail to, or trade in those held or possess’d by*
‘ *the said Lords the States, nor the subjects of the*
‘ *said Lords the States sail to, or trade in those*
‘ *held and possess’d by the said Lord the King.*

‘ This article, my Lords, of the treaty of
‘ *Munster* takes away all possibility of our being
‘ laid under the restrictions, in our navigation in
‘ *America*, which the *Dutch* are subject to in their
‘ trade with *Old Spain*. Therefore, my Lords,
‘ I think it is surprizing, that the *Spanish* minister
‘ should talk at this rate, or that he should sup-
‘ pose that this reason could pass with any man,
‘ who had ever look’d into the treaties between
‘ the two crowns ; and it is no less surprizing to
‘ me, that such a plain answer to this part of the
‘ *Spanish* Memorial should not occur to our mi-
‘ nister at that court.

‘ My Lords, it is certain, that in all the trea-
‘ ties that have been made betwixt *Spain* and any
‘ nation in *Europe*, the *Spaniards* have always sti-
‘ pulated an exclusive right of commerce to their
‘ own settlements. And, indeed, the *American*
‘ treaty of accommodation, &c. which we grant-
‘ ed to them, was rather explanatory of those
‘ rights, which they before pretended to in their
‘ own plantations, than giving them any new
‘ ones. It was a treaty, my Lords, granted

‘ them at a time when they were complaining
‘ of almost the same grievances from our subjects
‘ in *America*, as our merchants now suffer from
‘ their *Guarda Costa*’s. They presented memorials
‘ at our court, in the same manner as our mi-
‘ nisters now do at theirs ; and they received an-
‘ swers from us much in the same strain as we do
‘ now from them. We did not pretend, indeed,
‘ to justify any of the captures or depredations
‘ committed by our subjects in *America*, neither
‘ did we endeavour to blind them with any
‘ strain’d constructions of treaties, much less did
‘ we threaten or bully them ; and in this, it is
‘ true, the part we then acted, is different from
‘ the part they act now. But, my Lords, it
‘ seems, we then knew very well that the *Spa-*
‘ *niards* were sensible they were no match for us ;
‘ for though we actually dispatched orders to our
‘ governors in *America*, directing a cessation of
‘ the hostilities, and a restitution of unjust cap-
‘ tures ; and though these orders, before they
‘ were dispatched from hence, were communi-
‘ cated to the *Spanish* minister at this court ; yet
‘ very often a private packet by the very same
‘ ship, to the very same governor, enjoin’d him
‘ to pay no regard to these memorials, but to make
‘ the best use of his time and power, in seizing and
‘ disposing of what *Spanish* prizes he could take.
‘ This, my Lords, was the manner in which our
‘ government then acted ; I could never hear of
‘ any of our *American* governors who was re-
‘ warded, either for allowing these depredations,
‘ or for disobeying the publick orders that were
‘ sent him : Nor indeed were any of them pu-
‘ nish’d ; for before such a governor could be
‘ call’d over and brought to trial here, all diffe-
‘ rences were commonly made up betwixt the two
‘ courts, matters were hush’d, the governor was
‘ left in the exercise of his power, and the suf-
‘ ferers

‘ ferers to the satisfaction of complaining. But,
‘ my Lords, unjustifiable as this way of proceeding
‘ was, we do not find that any of the subjects of
‘ *Great Britain*, who acted by virtue of a com-
‘ mission from our governors in *America*, ever
‘ exercised any cruelty upon the persons of the
‘ *Spanish* subjects, who were so unhappy as to fall
‘ into their hands ; we do not find that any of
‘ them were led into a dismal captivity, or thrown
‘ into loathsome prisons at the very gates of our
‘ capital. This species of rapine, which deprives
‘ a man not only of his property, but his liberty,
‘ his limbs, and sometimes his life, was reserved
‘ for the *Spaniards* to practise in time of profound
‘ peace and tranquillity, and upon those who
‘ own themselves their friends and allies. It is
‘ true, my Lords, that in those days, a gang of
‘ lawless robbers, natives of *England*, did com-
‘ mit great excesses and cruelties upon many of
‘ the *Spaniards* in *America*. But, they never had
‘ any authority or connivance from our govern-
‘ ment ; and they did no more to the *Spaniards*,
‘ than they would have done to the *English*, had
‘ they had the like booty to expect from the one
‘ as from the other. Our governors and our men
‘ of war at last suppress’d them ; they hang’d as
‘ many of them up as fell into their hands, and,
‘ I believe, there was not a subject who enjoy’d
‘ the protection of our laws, who did not heartily
‘ detest them. But, my Lords, though the cir-
‘ cumstances of our commerce and navigation in
‘ *America* now, bear a near resemblance to their
‘ case then, in both these respects, yet we have
‘ endured their insolencies much longer than they
‘ did ours. Their complaints and our depreda-
‘ tions did not last for above two or three years at
‘ farthest. But their outrages have been for
‘ twenty years continually repeated, unprovoked
‘ by any act of hostility, and in return for many
‘ instances

‘ instances of favour and friendship. Besides, my
‘ Lords, I conceive we are much more able to
‘ command redress from *Spain* now, than they
‘ were to command it from us in those days.
‘ The succession to their crown was then doubt-
‘ ful, they were harass’d and exhausted by a long
‘ and unsuccessful war, and were destitute of
‘ proper alliances to make head against our naval
‘ power. But this, my Lords, is not our case;
‘ his Majesty is enabled to make as good a figure
‘ at sea as any of his predecessors, and I believe,
‘ a much better. We have enjoy’d a long and
‘ profound peace, and, I hope, my Lords, the
‘ effects of that peace will be felt by the nation,
‘ if we are obliged to enter into a just and a ne-
‘ cessary war. We have received provocations
‘ enough to rouse the most insensible; we have
‘ suffered as long as ever prudence could require.
‘ And, though I believe every Lord here is of
‘ opinion that peace is to be preserved, upon fair
‘ and honourable terms; yet, the chance of war
‘ is, undoubtedly, preferable to such a peace as
‘ we have for these twenty years past enjoy’d with
‘ *Spain*. I hope, my Lords, if we come to the
‘ resolutions, now proposed, we shall act with
‘ more vigour than has hitherto been exerted;
‘ for, I can’t be persuaded that the applications to
‘ the court of *Spain*, have been made with that
‘ warmth and resolution which the affair required,
‘ or in the manner most agreeable to treaties; be-
‘ cause many things, that might have been urged
‘ from treaties in favour of our injured mer-
‘ chants, seem to me to be omitted in our mi-
‘ nister’s memorials: Nor, my Lords, can I be
‘ persuaded that our acting in this manner was
‘ the proper way to cultivate the peace and
‘ friendship subsisting betwixt the two crowns;
‘ because our tameness and submission appears
‘ plainly to have encouraged the *Spaniards* in
‘ their

‘ their denying us justice, or redress. I am afraid,
‘ my Lords, it has heightened their obstinacy,
‘ and has given that court reason to imagine that
‘ we either dare not, or cannot, or will not redress
‘ ourselves. But, my Lords, I hope the mea-
‘ sures that will be taken in consequence of these
‘ resolutions will soon undeceive them. We have
‘ experienced his Majesty’s concern for the inte-
‘ rest of his people, and if *an adequate satisfaction*
‘ *be not speedily procured*, it will not be owing to
‘ him, but to those who represent the differences
‘ betwixt us and *Spain* in such a light, as either
‘ makes the damage done to our navigation and
‘ commerce inconsiderable, or to those who con-
‘ demn the manner in which the sufferers traded,
‘ as illicit, or wrest the sense of treaties to favour
‘ the violences of the *Spaniards*.

‘ My Lords, I think it appears both from the
‘ proceedings of the other house, so far as they
‘ have come to our knowledge, and by the pa-
‘ pers lying upon our table, that there is no
‘ necessity for any farther enquiries. The suffer-
‘ ings of our merchants, and the outrages of the
‘ *Spaniards* have been proved beyond controver-
‘ sy; they have been shown after the strictest
‘ examination to be contrary to the tenour of trea-
‘ ties and the law of nations. Let us therefore
‘ unanimously concur in a proper defence of our
‘ undoubted rights, and demand a confirmation
‘ of those privileges to which publick compacts
‘ and established treaties have evidently entitled
‘ us. But let us not too hastily agree to this
‘ resolution, which supposes our applications more
‘ regular and forcible, and perhaps the court of
‘ *Spain* more obstinate and unreasonable, than
‘ they will appear upon an exact consideration.

‘ However, I shall not take the liberty to pro-
‘ pose any amendment to this resolution, or to
‘ offer any other resolution in its room. I sub-

‘ mit

‘ mit to your Lordships better judgment in every
 ‘ thing I have said ; which, I assure your Lord-
 ‘ ships, was not spoken with any intention to bring
 ‘ us into a debate. On the contrary, I am of opi-
 ‘ nion, that nothing can contribute so much to
 ‘ the figure which this nation ought to make
 ‘ abroad, as the unanimity of the *British* Parlia-
 ‘ ment on this important affair ; I should therefore
 ‘ rather chuse to acquiesce in what is not perfectly
 ‘ according to my own judgment, than to give
 ‘ the world any reason to believe that we are not
 ‘ unanimous on this occasion.’

The Duke of *Newcastle* spoke next to the following effect :

‘ My Lords,

‘ It must give the most sensible pleasure to
 ‘ every man, who wishes well to the interest of
 ‘ *Great Britain*, and the honour of the crown,
 ‘ to find, that the Parliament has been as tender
 ‘ of the interests of our injured merchants, as
 ‘ they have been unanimous in representing their
 ‘ grievances. But it will give me great concern,
 ‘ if the endeavours of Parliament to procure
 ‘ them redress, should occasion any reflections on
 ‘ the conduct of those whom his Majesty has
 ‘ thought proper to entrust with the management
 ‘ of the points that remain undecided betwixt
 ‘ us and the court of *Spain*, or of the points that
 ‘ have already been adjusted. As I dare say,
 ‘ none of the noble Lords who spoke on this
 ‘ occasion, have any other views than what pro-
 ‘ ceed from a sincere desire to see these differences
 ‘ accommodated in the manner most agreeable to
 ‘ the interest of this nation : So I am convinced
 ‘ that I shall be pardoned, if I endeavour to set
 ‘ the proceedings of his Majesty’s servants, on
 ‘ this important affair, in a just light.

The Duke
 of *New-*
castle’s
 speech.

‘ The

‘ The noble Lord who spoke last, seems to be
‘ apprehensive that our minister at the court of
‘ *Spain* has been bound up by the instructions he
‘ received from our court, from making those in-
‘ stances, that were necessary to procure redress to
‘ our injured merchants, with that zeal and
‘ warmth which, from the justice of their com-
‘ plaints, he was entitled to exert. My Lords,
‘ if our minister at that court has been guilty of
‘ any remissness of that kind, I shall be very far
‘ from excusing it; but one thing is certain, and
‘ I believe some of your Lordships know it by
‘ experience, that it is very hard for those at
‘ a distance, to direct a minister at a foreign court
‘ in what manner he shall behave; and that it is
‘ unjust to blame him, if he does not act in the
‘ manner in which they think they would have
‘ done in his situation. A minister is, indeed,
‘ always supposed to be furnished with instructions
‘ and powers to make the honour of his Prince
‘ and the interest of his country the first objects
‘ of his concern; but it is hard to tie him down
‘ to any particular measures, when these interests
‘ come to be canvass’d, and to the very words in
‘ which he is to pen every memorial he shall pre-
‘ sent. An able minister, my Lords, in these
‘ circumstances, is to act as the exigencies of his
‘ negotiation, and the characters of those he has
‘ to do with, shall require. Thus far, I have
‘ taken the liberty to speak in general, as to the
‘ part in which our ministers both at home and
‘ abroad have acted, with regard to the disputes
‘ betwixt us and *Spain*. But if upon examining
‘ the steps they have taken, it shall be found that
‘ they have acted any way inconsistent with, or
‘ contradictory to, the interest of this nation; if
‘ it shall be found that the steps they have taken
‘ are even not agreeable to the resolutions we are
‘ coming to, I shall be far from vindicating them;

‘ I

‘ I shall be as willing as any Lord here, that they
‘ fall under the censure of this house, and be
‘ given up to the justice of their country. What
‘ the noble Lord who spoke last principally in-
‘ sisted on, I think, was, that the memorials of
‘ our minister at the court of *Spain*, and the re-
‘ presentations he made, were not expressive of
‘ our rights to a free navigation and commerce to
‘ and from any part of his Majesty’s dominions in
‘ *America*. My Lords, I have look’d pretty ex-
‘ actly into these memorials, and dare venture to
‘ affirm, that our rights are fully and expressly
‘ asserted in them, and that there has been no
‘ omission of any circumstance in our favour, that
‘ could reasonably occur to our minister at the
‘ time of his presenting these memorials. In the
‘ memorials deliver’d by the *Spaniards* to our mi-
‘ nister dated the 10th of last month, the *Spanish*
‘ minister had said, *That there was no article in*
‘ *the treaty of commerce made with the Spaniards in*
‘ *the 20th year of King Charles II. except the eighth,*
‘ *applicable to the navigation carried on by the two*
‘ *nations in America*; thereby intimating that, on
‘ these seas, the *Spaniards* were not tied up to the
‘ manner of visiting our ships prescrib’d by the
‘ said treaty; but that their *Guarda Costa’s* might
‘ *seize them whenever it appear’d that they had*
‘ *unnecessarily altered their courses to make any of*
‘ *the Spanish ports*. This, my Lords, was a
‘ very interesting point to our navigation and
‘ commerce, and had our minister yielded it up
‘ to that court, or had our ministry here given
‘ him any instructions for that purpose, he and
‘ they, no doubt, had been guilty of betraying
‘ the interests of their country. But I humbly
‘ conceive, the memorial which our minister, by
‘ order of his court, presented in answer to that
‘ memorial of the *Spanish* minister, contains a full
‘ and explicit answer to this unjustifiable claim
‘ of

‘ of the *Spaniards*. He tells that court, what all
‘ the Lords who have spoken on this occasion
‘ have admitted, *That we do not pretend to a right*
‘ *of trading with the Spanish settlements in Ameri-*
‘ *ca, because there is not only no article in the treaty*
‘ *made in the 20th of King Charles II. that can au-*
‘ *thorize such a trade, but that the whole tenor of*
‘ *the treaty made three years after, absolutely probi-*
‘ *bits it.* “ And that we were not confined to
“ particular latitudes, or subject to any seizures,
“ unless detected in the exercise of unlawful
“ commerce.”

‘ This, my Lords, is what the noble Lord who
‘ proposed the amendment to the first resolution
‘ we have come to, principally insisted on. For
‘ I think the noble Lord seemed to be of opinion,
‘ that the exclusive article against our trading to
‘ the *Spanish West-Indies*, in the last mention’d
‘ treaty, was the principal security we had against
‘ the encroachments of the *Spaniards* upon our
‘ navigation in these seas. And, my Lords, I
‘ think, this answer of his Majesty’s resident at
‘ the *Spanish* court, was a much more proper an-
‘ swer to their claim of searching, than if he had
‘ entered into a long and tedious disquisition a-
‘ bout the sense of the sixth article of the treaty
‘ of *Munster*, whether it respected the *Dutch* and
‘ *Spanish* commerce in *America* as well as in *Eu-*
‘ *rope*, or that of *Europe* alone. Your Lordships
‘ likewise find that in the representation of our
‘ minister, which gave occasion to that memorial
‘ of the *Spanish* minister, he urges the very thing
‘ (and almost in the same words) which is con-
‘ tained in your Lordships first resolution. He
‘ insists that the *British* ships are incontestably in-
‘ titled to a right of carrying on a *lawful com-*
‘ *merce* in *America*: And this *lawful commerce*, ac-
‘ cording to your Lordships sense of the words,
‘ is here restrained to our liberty of trading in

‘ any commodities to and from any part of his
‘ Majesty’s dominions. At the same time, he
‘ remonstrates, that even though some goods
‘ which may be thought the growth of their co-
‘ lonies, should be found on board of our ships
‘ by a *Spanish Guarda Costa*, that circumstance
‘ cannot be a just ground to the *Spaniards* for con-
‘ fiscating the whole ship and cargo. And to
‘ support this, he relates the 15th and 23d arti-
‘ cles of the treaty made in the 23d of King
‘ *Charles II.* My Lords, I cannot conceive that
‘ any words can come up more fully to the reso-
‘ lution which your Lordships have just now
‘ come to, than those of the memorial. And I
‘ am convinced, had the noble Lord who spoke
‘ last, considered these memorials with that accu-
‘ racy he is so much master of, his Lordship
‘ would have been of my opinion. But as it is
‘ necessary for the justification of our ministers
‘ here, to take a farther view of the memorials
‘ which his Majesty’s resident in *Spain*, presented
‘ in consequence of his instructions from this
‘ court, I shall beg your Lordships indulgence
‘ for a few words more. My Lords, when we
‘ take a view of the several papers lying before
‘ us, we see that his Majesty’s instances are not
‘ confined to a bare demand of reparation of the
‘ injuries done our merchants, but insist on our
‘ having security for the quiet enjoyment of all
‘ their just rights for the future. The *Spanish*
‘ minister had pretended that our ships could
‘ not claim a right to be visited *only* in the man-
‘ ner prescrib’d by the treaty made in the 20th of
‘ King *Charles II.* And, I think, the words of
‘ the memorial given in to the court of *Spain* by
‘ his Majesty’s minister there, in answer to this
‘ assertion, come so fully up to what appears to
‘ be the sense of this house, that I doubt much
‘ if the noble Lord who spoke last would under-
‘ take

‘ take to improve them. It is there insisted upon,
‘ *That the particular regulations set down in that*
‘ *treaty made in the 20th of King Charles II. to be*
‘ *observed by the subjects of both nations in regard to*
‘ *navigation in places where it is agreed to be free,*
‘ *far from being repugnant to the treaty concluded*
‘ *three years after, are conformable thereto, and ex-*
‘ *tend, and ought necessarily to be extended to the ships*
‘ *and effects of the subjects of both nations, in what-*
‘ *ever seas they are met with, whether in Europe*
‘ *or any other part of the world.* These, my Lords,
‘ are the words of the memorial, which are sub-
‘ mitted to your Lordships consideration. And
‘ they suggest that our ships ought only to be
‘ visited by two or three men in a long-boat, as
‘ the noble Lord who offer’d the amendment ob-
‘ served. I shall now proceed to examine if our
‘ ministry has been deficient, by not making pro-
‘ per applications at the court of *Spain* upon the
‘ other points of difference. The manner of car-
‘ rying on the process of confiscation, when any
‘ of our ships were seized by the *Spaniards*, was
‘ a case that very much required the interposition
‘ of our court, and no doubt will be brought un-
‘ der a proper regulation, when the other diffe-
‘ rences come to be adjusted. By the treaties be-
‘ twixt *Spain* and *England*, it is certain that each
‘ nation has a right to judge how far any ships,
‘ or vessels, brought as prizes into her ports, are
‘ legally confiscable. But this right has been
‘ shamefully abused by the *Spaniards*, who, after
‘ they seize a ship belonging to *Great Britain*,
‘ detain the master and his crew on board their
‘ own ship, during all the time in which the pro-
‘ cess is carried on. It is true, the *Spanish* gover-
‘ nor assigns them counsel; but then this counsel
‘ has no opportunity of knowing what defence
‘ the prisoners can make, because they never once
‘ see them during all the time the process is car-
‘ rying

‘ rying on; nor are they even allowed the liberty
‘ of seeing so much as one paper which may
‘ make for the prisoners, they being before all
‘ seized and sequestered by order of the gover-
‘ nors: So that, the defence, that is made, is at
‘ best but a mock defence. This abuse, my
‘ Lords, we have complained of in the strongest
‘ terms at the court of *Spain*; and it was, doubt-
‘ less, much owing to this practice, that the equi-
‘ table intentions of the King of *Spain* have been
‘ so often baffled, and so many of our ships, car-
‘ rying on a fair and lawful trade, confiscated by
‘ the partiality of judges and governors. We
‘ have likewise, my Lords, complained in the
‘ strongest terms of the hardships our merchants
‘ are under, who enter their appeal to the council
‘ of the *Indies* in *Old Spain*, against the decision
‘ of the governors in *America*, by being deprived
‘ of bringing any other evidence in their own fa-
‘ vour, but what has been already admitted in
‘ their courts of judicature in *America*. And there
‘ is great reason to believe that the King of *Spain*,
‘ both from his own equitable intentions, and
‘ from a consideration of the superiority of our
‘ naval force, will agree to a proper regulation.
‘ But there are some points, perhaps, which may
‘ admit of a little dispute, when things come to
‘ be settled in the way of negotiation. I believe
‘ it will not be easy for us to determine the exact
‘ value of our merchants losses; especially, if it
‘ is true, as I am afraid we have but too much
‘ reason to suspect, that some of our merchant-
‘ ships, that have been seized by the *Spaniards* on
‘ the *American* seas, had actually been concerned
‘ in an illicit trade with their settlements, and
‘ laden with their goods. I agree, indeed, with
‘ the noble Lords who have spoken on this head,
‘ that it was against the faith of treaties, for any
‘ ship commission’d by the King of *Spain* to at-
‘ tack

‘ tack or search an *English* ship or vessel on the
‘ open seas. But, my Lords, if after such a sei-
‘ zure has been made, a confiscation of that ship
‘ has followed upon plain and incontestable evi-
‘ dence, given in before the *Spanish* courts of ju-
‘ dicature, that such a ship was concerned in an
‘ illicit trade with the *Spanish* settlements in *Ame-*
‘ *rica*; I say, my Lords, in such a case, I doubt
‘ much if a minister could entirely be justified,
‘ in reclaiming such a ship, or demanding an e-
‘ quivalent in money. My Lords, I do not men-
‘ tion this with any design of vindicating the
‘ *Spaniards* in their depredations, which I am sen-
‘ sible have been unjust in themselves, as well as
‘ attended with many aggravating circumstances.
‘ I do it only to shew to your Lordships, that
‘ though the King of *Spain* is disposed to redress
‘ the injuries that have been done us, and which,
‘ as I have shewn to your Lordships, our minis-
‘ ters have complained of in the strongest terms,
‘ there may arise certain points worthy of being
‘ discuss’d in an amicable manner, and in which
‘ perhaps it may be necessary as well as prudent
‘ in both parties, to recede a little from the ri-
‘ gour of their demands. But, my Lords, when
‘ I say this, I have not the most distant thought,
‘ that we ought to give up the least point of our
‘ right to a free navigation in the *American* seas.
‘ This, I am unalterably for asserting at all events;
‘ but I think, the most proper way to secure it,
‘ is by shewing the world that we will as little
‘ support unwarrantable practices in our mer-
‘ chants, as we will suffer them in others. And
‘ this manner of proceeding will convince the
‘ other powers of *Europe*, that we have right as
‘ well as power on our side. But should we pre-
‘ cipitately enter into a war with *Spain* upon any
‘ doubtful points that may remain undecided be-
‘ twixt us, or should we attack them without
‘ giving

‘ giving them an opportunity of making us re-
‘ paration in an amicable way, the other powers
‘ of *Europe* would immediately take the alarm;
‘ they might look on our proceeding as the effect
‘ of a design, either to seize upon some part of the
‘ *Spanish* dominions in *America*, and to annex it
‘ to our own crown; or as an attempt to force
‘ the *Spaniards* to allow us a free trade and com-
‘ merce with their settlements in *America*. Did
‘ any of our *European* neighbours, my Lords, sus-
‘ pect that we had formed a design to dismember
‘ any part of the *Spanish* monarchy from that
‘ crown, there is not the least doubt but they
‘ would look upon us with a very jealous eye;
‘ because, as your Lordships know, the further
‘ alienation of any part of that monarchy is strict-
‘ ly guarded against in a separate article of the
‘ treaty of *Utrecht*, and for the observance of this
‘ article both we and the *French* are guarantees.
‘ If it were suspected, that we designed to force
‘ the *Spaniards* to allow us a free trade in all its
‘ branches to their settlements in *America*, the
‘ *French* would not fail to oppose us in such a de-
‘ sign, the King of *Spain*, in the same treaty of
‘ *Utrecht*, having laid himself under an engage-
‘ ment, not to grant it to the subjects of any nation
‘ of *Europe* except his own: And the *French* mo-
‘ narch, by the same treaty, was obliged to give
‘ up all claim to the exercise of any commerce to
‘ the *Spanish* settlements there. This, my Lords,
‘ has always been look’d upon as a necessary step
‘ towards preventing any one nation in *Europe*
‘ from becoming too rich and too powerful for
‘ the rest: And the preserving the sole right of
‘ navigation and commerce to and from the *Spa-*
‘ *nish* settlements in *America*, to the *Spaniards* them-
‘ selves, was not the effect so much of the *Spanish*
‘ policy, as of the jealousy which the powers of
‘ *Europe* entertained amongst themselves, lest any
‘ other

‘ other should acquire too great a property in
‘ that valuable branch of commerce. They knew
‘ that while the treasures of the *Indies* were the
‘ property of the *Spaniards*, or at least while they
‘ centred in *Spain*, that sooner or later their sub-
‘ jects must have a proportionable share; because
‘ that monarchy is destitute of many of the ad-
‘ vantages, which the other nations of *Europe* en-
‘ joy, from their manufactures and the industry of
‘ their inhabitants; and that consequently it was
‘ not in the power of the *Spaniards*, let them
‘ have never such an aspiring and politic Prince
‘ at their head, to monopolize these treasures.
‘ Whereas, should too large a share of them come
‘ into the hands of any other nation in *Europe*,
‘ whose situation, power or trade, render them
‘ perhaps already formidable to their neighbours,
‘ they might be employed to purposes inconsis-
‘ tent with the peace of *Europe*, and which might
‘ one day prove fatal to the balance of power,
‘ that ought to subsist amongst her several Prin-
‘ ces. In such a case there is no doubt but that a
‘ formidable alliance would be made against the
‘ power thus aspiring; and should the differences at
‘ last come to be made up by a treaty, it would be
‘ found that the most probable way to secure the
‘ general peace, is to suffer the *Spaniards* to re-
‘ main in the same situation, as to their *American*
‘ settlements, they are now in. I know, my Lords,
‘ that in the same year in which the treaty of
‘ *Utrecht* was concluded, some stipulations were
‘ made in our favour as to the *American* trade, par-
‘ ticularly the contract for importation of slaves
‘ into the *Spanish Indies*, which was made in conse-
‘ quence of the 12th article of the treaty of com-
‘ merce at *Utrecht*. Three years after, we likewise
‘ obtained a treaty of declaration in regard to the
‘ said slave trade; which treaty was confirmed by
‘ the treaty of *Madrid*, which was concluded five

‘ years after. But, my Lords, the privileges
‘ which we gain’d by these treaties, and the exe-
‘ cution of them, have put both our government
‘ and our merchants to great expence and trouble
‘ in their solicitations at that court; and the ob-
‘ structions our interests met with there, no doubt,
‘ were secretly promoted and encouraged by some
‘ of our neighbours, who, I believe, might other-
‘ wise wish us very well, but could not, for the
‘ reasons I have already given, bear to see any
‘ alteration made in the *American* commerce, that
‘ might endanger the balance of power, which the
‘ Princes of *Europe* have always thought so ne-
‘ cessary to her quiet.

‘ From these considerations, my Lords, were
‘ there no other, I think it evidently appears,
‘ that to plunge ourselves into a war with *Spain*,
‘ before we left them inexcusable in their conduct
‘ towards us, would be a very impolitic step.
‘ For, if we meet with success in such a war, the
‘ greater the success, the greater will be the jea-
‘ lousy of our neighbours, and the stronger their
‘ endeavours, either secretly or openly, to deprive
‘ us of the advantages our arms may have acqui-
‘ red. If the war is unsuccessful on our side, it
‘ will confirm the *Spaniards* in their refusal to do
‘ us justice, and gratify their pride and insolence.
‘ Besides, my Lords, let our success in a war with
‘ *Spain* be as great as the best friend to *Britain*
‘ could wish; I am afraid, even in that case, our
‘ other merchants would have as much cause to
‘ complain of our courage, as our *West-India* mer-
‘ chants affect to do of our forbearance. Your
‘ Lordships are to consider, that the *French*, by ob-
‘ serving an appearance of an exact neutrality,
‘ may run away with the most gainful branches
‘ of our commerce, which are those to *Portugal*,
‘ and to *Turkey*; our trade to *Old Spain* must be
‘ entirely in their hands, and our trade to all o-
‘ ther

‘ ther places rendered precarious by their priva-
‘ teering. Thus, in the end, we may find our-
‘ selves losers by our conquests. So that, my
‘ Lords, there is no occasion for any one to be
‘ surprized, that no violent or precipitate mea-
‘ sures have been yet entered into against *Spain*,
‘ and that our ministry has hitherto endeavoured
‘ rather to *persuade* than to *compel*. I say, my
‘ Lords, to *persuade*; for I think it is no hard
‘ matter to convince a *Spaniard*, who knows any
‘ thing of the differences betwixt us and that
‘ court, that it is for the advantage of his nation,
‘ that the matters of dispute betwixt us should be
‘ adjusted in an amicable way. For, should the
‘ *Spaniards* obstinately refuse to come into reason-
‘ able terms, our cause would become the cause
‘ of all *Europe*; every power in it would look
‘ upon the injustice they do to us, as a prelude to
‘ what they themselves are one day to expect.
‘ This conduct will convince all our neighbours,
‘ my Lords, that we have no design to engross
‘ any part of the *Spanish* monarchy to ourselves,
‘ with a view of disturbing the peace of *Europe*,
‘ or of making them more dependent upon us;
‘ for hereby they must see that we are forced into
‘ a war, in which we are supported by justice;
‘ and that we are acting from no principle either
‘ of ambition or avarice, but solely from the mo-
‘ tives by which every people who understands
‘ or regards their own interest must necessarily be
‘ determined. It will likewise give the King of
‘ *Spain* time to reflect both on his own danger,
‘ in case of a refusal, and to see his own interest
‘ in case of a compliance; and if he has been
‘ imposed upon by false representations from his
‘ own ministers, it may open his eyes, and make
‘ him less susceptible of such impressions in time
‘ to come, and consequently a more firm ally to
‘ *Great Britain*.

‘ What I have said, my Lords, I think is suf-
 ‘ ficient to prove, that frequent applications have
 ‘ been made to the court of *Spain* on the part
 ‘ of his Majesty, *in a manner the most agreeable*
 ‘ *to treaties, and to the peace and friendship subsist-*
 ‘ *ing between the two crowns.* I hope your Lord-
 ‘ ships are convinced, that our ministers both at
 ‘ home and abroad have acted for the honour and
 ‘ interest of this nation: And if any of your
 ‘ Lordships will take the pains to compare the
 ‘ remonstrances given in to the court of *Spain* by
 ‘ our minister there, with the resolutions that are
 ‘ now under our consideration, I believe it will be
 ‘ found that it was not owing to any defect of
 ‘ application from the ministry, that we have not
 ‘ long since had a full and ample restitution in
 ‘ every point. It was owing to the obstinacy of
 ‘ the *Spanish* court, and that Prince’s being misin-
 ‘ form’d and imposed upon as to the subject of
 ‘ our difference, that they refused us satisfaction;
 ‘ and it was owing to a tender regard for the inte-
 ‘ rest of this nation, that his Majesty did not em-
 ‘ ploy force in order to obtain it. The noble
 ‘ Lord who spoke last, was pleased to give your
 ‘ Lordships an account of the situation in which
 ‘ things were in betwixt us and *Spain*, when the
 ‘ treaty of the 20th of King *Charles II.* was
 ‘ granted. But I believe his Lordship is of opi-
 ‘ nion that our conduct at that time was a proof
 ‘ rather of the power than of the justice, or
 ‘ soundness of politicks of our nation. The *Spa-*
 ‘ *niards*, it is true, were not then in a condition
 ‘ to make head against the power of *England*.
 ‘ But the other powers of *Europe* interfer’d; they
 ‘ grew jealous, lest, if the *Spanish* settlements
 ‘ should be ruined in *America* by means of our
 ‘ depredations, they might be deprived of the
 ‘ advantages they drew from their commerce
 ‘ with *Old Spain*; and though at that time, there
 ‘ was

‘ was no good understanding betwixt the *French*
‘ and *Spanish* courts, yet the *French* thought it
‘ much more for their interest, that the *Spanish*
‘ settlements in *America* should remain annexed to
‘ that crown, than that any of them should fall
‘ into our hands: And it appears, that the *Dutch*,
‘ those rivals of our trade, have always been of
‘ the same opinion. Therefore, my Lords, it
‘ was not from any inclination, or any pecu-
‘ niary consideration, that we had to *accommodate*
‘ differences with, or to prevent depredations upon
‘ the *Spaniards* in *America*, that we agreed to
‘ a treaty which they thought so advantageous to
‘ themselves; but because we were sensible, that if
‘ we delayed any longer to do them justice, the
‘ other powers of *Europe* would interpose and ex-
‘ ert themselves in favour of the *Spaniards*. This,
‘ my Lords, was the true reason why we granted
‘ them the *American* treaty; and this must be the
‘ case at all times, when we or any other power
‘ in *Europe* shall, by the superiority of a naval
‘ force, endanger any part of the *Spanish* acqui-
‘ sitions in *America*. I believe, as the noble
‘ Lord observed, the *Spaniards* at the same time
‘ remitted to us the payment of a considerable
‘ sum; but, my Lords, had there been no other
‘ reason to oblige us, we could easily have found
‘ a pretence for refusing the payment of that sum;
‘ and the same force that protected us against
‘ their resentment in our depredations, would
‘ have protected us in our refusal to pay what
‘ was owing to them. Their giving up so confi-
‘ derable a demand might indeed have great influ-
‘ ence over a court, which stood so much in need
‘ of money as that of King *Charles II.* generally
‘ did; but it is plain our principal motive was,
‘ the apprehensions we were under, lest our
‘ neighbours should make the *Spanish* quarrel
‘ their own.

‘ The

‘ The noble Lord who spoke last, seemed to
‘ insinuate that the ministry had acted in a pusil-
‘ lanimous manner, by bearing so long with the in-
‘ solence of the *Spaniards*: I hope I have shewed,
‘ that the measures they have taken, have been
‘ both just and necessary. What benefits would
‘ have ensued from more precipitate methods of
‘ proceeding, what advantages we could have pro-
‘ posed from rushing into a war with *Spain*, no
‘ Lord has yet informed us. The debts con-
‘ tracted in the late war lie yet heavy on the
‘ nation, and who but her enemies can think
‘ with patience of adding to the burden?

‘ The advantages, if any, that we shall gain,
‘ may entail another war upon us, by which all
‘ *Europe* may be set on fire; whatever we get by
‘ a war, must be by employing our naval force,
‘ either in making conquests in *America*, or in at-
‘ tacking and seizing the plate fleet. Whatever
‘ acquisitions our arms may gain us in *America*,
‘ the treaty for restoring peace, as I have shewn,
‘ will probably take away; and all other nations in
‘ *Europe* are too much interested in their plate fleet,
‘ not to unite their endeavours to secure it from
‘ us, or, at least, to reclaim the treasure we may
‘ take in those ships. Any attempt of this nature
‘ would endanger the friendship of our best allies,
‘ and then I should not be surprized to hear our
‘ ministry as much blamed for disobliging our
‘ friends, as now for encouraging our enemies.
‘ It is much more safe for others to censure and
‘ direct, than for ministers to act; and since I sat
‘ in this house, my Lords, when a war with
‘ *Spain* was thought just and necessary by his Ma-
‘ jesty and the ministry, it was opposed by those
‘ who are now loudest in their complaints against
‘ pacific measures. This, my Lords, cannot but
‘ create a suspicion, that the outcries of some a-
‘ gainst the government do not proceed so much
‘ from

‘ from a spirit of patriotism, as of opposition.
‘ And I believe there is nothing they so much
‘ dread, as our entering into a vigorous war,
‘ which would deprive them of the only grounds
‘ of opposition that the conduct of the ministry
‘ has left them. The only thing they are more
‘ afraid of, is the prevention of a war, by a full
‘ concession of all our demands: But far be it
‘ from me to imagine that such ungenerous senti-
‘ ments can have infected your Lordships, who
‘ will doubtless rejoice in the honour and prospe-
‘ rity of your country, whether secured by the
‘ power of victorious arms, or the less hazardous
‘ means of treaty and negotiations.’

The Earl of *Chesterfield* spoke next as follows.

‘ My Lords,
‘ If I rightly understand the noble Duke, he
‘ has endeavoured to prove that nothing more Earl of
Chesterfield's
speech.
‘ could have been done for the honour of this
‘ nation, than has been done in our present dif-
‘ ferences with *Spain* by our ministers; and that
‘ it is not to be imputed to the King of *Spain*,
‘ but to his ministers, that we have not had sa-
‘ tisfaction. Had the injuries we suffered, my
‘ Lords, been of a short continuance; had they
‘ been of no older date than three or four years,
‘ the noble Duke's arguments might have given
‘ me a very favourable impression of the conduct
‘ of our ministry. I know that the forms of the
‘ *Spanish* courts of justice, together with the na-
‘ tural phlegm of that people, subject those who
‘ have any thing depending before them, to great
‘ inconvenience, and unreasonable delays. But, my
‘ Lords, when I reflect that we have complained,
‘ and complained with justice, above twenty
‘ years, I cannot help looking on such delays as
‘ an absolute denial of redress, and concluding
‘ that

‘ that the *Spaniards* intend to sell us their friend-
‘ ship at no less price than the possession of our
‘ settlements in *America*, and the exclusive sove-
‘ reignty of those seas. Every man must be con-
‘ vinced of this truth, who has had an opportu-
‘ nity of observing how their conduct has varied
‘ in proportion as they had any thing to hope or
‘ to fear from this nation. About twenty years
‘ ago, their insolence provoked his Majesty to give
‘ such instructions to his Admiral, as made them
‘ feel the effects of our resentment for several
‘ years. During all that time our merchants were,
‘ I think, pretty free from any apprehensions of
‘ the *Spanish* depredations. But no sooner had
‘ that court recovered from the consternation, into
‘ which the success of our arms had thrown her,
‘ and strengthened herself with new alliances,
‘ than her *Guarda Costa’s* renewed their violences,
‘ and we our fruitless solicitations. In this state
‘ affairs continued till the treaty of *Seville*. At
‘ that time, as your Lordships know, the court of
‘ *Spain* had one favourite point in view, which she
‘ could never have obtained without our assistance
‘ and friendship; this was the introduction of *Don*
‘ *Carlos* into *Italy* with 6000 *Spanish* troops, in
‘ direct violation of one of the principal articles
‘ of the quadruple alliance. We even consented
‘ to this alteration, tho’ we thereby hazarded the
‘ friendship of our old and firm ally, the Emperor,
‘ who by that introduction has since lost most of
‘ the possessions he enjoyed in *Italy*. While this
‘ negotiation was upon the carpet, and while we
‘ seemed to make a difficulty of gratifying the
‘ ambitious views of the Queen of *Spain*, there
‘ was a cessation of their hostilities: For in the
‘ list of the captures now before us, I do not see
‘ any that were made during that time. I mention
‘ this, my Lords, to shew that the *Spanish* mo-
‘ ch can make himself obey’d by his *American*
‘ subjects

‘ subjects and governors, when he has an interest
‘ to gratify ; but that motive no sooner ceases,
‘ than he and his court are contented that their
‘ orders should be disobeyed, and their intentions
‘ misunderstood, by their servants and officers ;
‘ and therefore we can never hope for the due
‘ execution of any treaty with *Spain* in our fa-
‘ vour, if we should leave it in her power to
‘ elude it. This is a point, my Lords, which
‘ will not admit of the least dispute, if we con-
‘ sider in what manner those articles of the treaty
‘ of *Seville*, that were in our favour, have been
‘ executed. The 4th article of that treaty runs
‘ in the following terms: “ It having been agreed
“ by the preliminary articles, that the commerce
“ of *Great Britain* and *France*, as well in *Europe*
“ as in the *Indies*, should be re-establish’d on the
“ foot of the treaties and conventions antecedent
“ to the 11th year of King *George I.* and particu-
“ larly, that the commerce of *Great Britain* in
“ *America* should be exercised as heretofore ; it is
“ agreed by the present article, that all necessary
“ orders shall be dispatched on both sides without
“ any delay, if they have not been sent already,
“ as well for the execution of the said treaties, as
“ for supplying what may be wanting for the en-
“ tire re-establishment of commerce, on the foot
“ of the said treaties and conventions.” How
‘ well this article has been observed, the list of
‘ captures before your Lordships will make ap-
‘ pear. Can it be pretended that, since the treaty
‘ of *Seville*, we have enjoyed the benefit of one
‘ article of the treaties concluded betwixt us and
‘ *Spain* before the 11th year of King *George I.*?
‘ Or rather do not the circumstances, with which
‘ almost every capture of our ships has been at-
‘ tended, prove, that the *Spaniards* utterly disre-
‘ gard these treaties? On our side, indeed, this
‘ article has been punctually observed, nor do
‘ I

‘ I find an instance of any infringement of it by
‘ our subjects in *America*, whose hands seem to
‘ have been bound up on purpose that the *Spani-*
‘ *ards* might proceed in their violences and de-
‘ predations with impunity.

‘ By other articles of the same treaty it appears,
‘ that the *Spaniards* were even then determined
‘ that we should not reap any advantage from it,
‘ longer than till their own purposes were served.
‘ Had we insisted upon, and obtained an imme-
‘ diate reparation of the damages our merchants
‘ then complained of, that could never have an-
‘ swered the intentions of the *Spaniards*, which
‘ were to put off this point till they had got their
‘ favourite scheme brought about by our assis-
‘ tance. Accordingly, by the 6th article of the
‘ same treaty we find, that “ commissaries should
“ be nominated with sufficient powers on the
“ part of their *Britannick* and *Catholick* Majesties,
“ who shall assemble at the court of *Spain*, with-
“ in the space of four months after the exchange
“ of the ratifications of the present treaty, or
“ sooner if it can be done, to examine and decide
“ what concerns the ships and effects taken at sea
“ on either side, to the time specified in the pre-
“ ceding article. The said commissaries shall
“ likewise examine, and decide, according to the
“ treaties, the respective pretensions that relate
“ to the abuses that are supposed to have been
“ committed in commerce, as well in the *Indies*
“ as in *Europe*, and all the other respective pre-
“ tensions in *America*, founded on treaties, whe-
“ ther with respect to the limits or otherwise.
“ The said commissaries shall likewise discuss
“ and decide the pretensions which the King of
“ *Spain* may have, by virtue of the treaty of the
“ 7th of King *George* I. for the restitution of the
“ ships taken by the *British* fleet in the 5th of
“ the said King. And the said commissaries,
“ after

“ after having examined, discussed, and decided
“ the abovesaid points and pretensions, shall
“ make a report of their proceedings to their
“ *Britannick* and *Catholick* Majesties, who promise
“ that, within the space of six months after the
“ making of the said report, they will cause to
“ be executed, punctually and exactly, what shall
“ have been so decided by the said commissaries.”

‘ This article, my Lords, seems to have been
‘ inserted into the treaty, on purpose, that all
‘ the advantages we could expect by it might be
‘ frustrated. Before the commissaries could meet
‘ and decide upon the several pretensions of the
‘ contracting powers, the *Spaniards* were sure the
‘ design they proposed by the treaty would be
‘ effected. Accordingly we found, that no sooner
‘ had our arms and counsels introduced *Don Car-*
‘ *los* into *Italy*, than new difficulties against the
‘ meeting of the commissaries were started; and
‘ when they met, not one point that concerned
‘ the purpose of their meeting was adjusted.
‘ And, my Lords, it is remarkable that though
‘ the 8th article of the same treaty gives the
‘ commissaries three years from the signing of the
‘ treaty to finish their commission, yet by the 9th
‘ article, we find that the 6000 men of the King
‘ of *Spain*’s troops and in his pay, are to be in-
‘ troduced into the garison’d places, *without loss*
‘ *of time*. All these circumstances, when com-
‘ pared together, must give every one very strong
‘ inclinations to believe that the *Spaniards* never
‘ meant to fulfil one article of that treaty, so far
‘ as it was in our favour; and I cannot help think-
‘ ing that our ministers, both here and at the
‘ court of *Spain*, have been monstrously imposed
‘ upon, in not obtaining from the *Spaniards* clear
‘ and explicit reasons why that treaty was not ful-
‘ filled on their parts, as well as it has been on
‘ ours. Had this, my Lords, been done, his
‘ Majesty

‘ Majesty and his Parliament might have judged
‘ what measures were necessary to oblige the *Spaniards*
‘ to regard the faith of treaties, and our
‘ ministers stood so far acquitted. This way of
‘ proceeding must likewise have prevented the
‘ scandalous insults that have wounded the ho-
‘ nour of this nation, and the unjust depredations
‘ that have almost destroyed the freedom of her
‘ commerce. And, my Lords, though it should
‘ be granted, that the applications made on the
‘ part of his Majesty at the court of *Spain* have
‘ been in the manner *the most agreeable to treaties*,
‘ yet give me leave to say, they have not been
‘ made in the manner that was most agreeable to
‘ the sense and the interest of this kingdom.

‘ The noble Duke seemed to be of opinion,
‘ that if we should now enter into a war with
‘ *Spain*, we might awaken the jealousy, and draw
‘ upon us the ill offices of the other powers in
‘ *Europe*. My Lords, I am far from thinking
‘ war eligible when it is not necessary; but if it
‘ cannot be denied to be sometimes necessary, let
‘ the noble Duke shew us when it can be more
‘ so, than at present: If his argument proves that
‘ we must not *now* assert our rights by arms, it
‘ proves equally that we must never assert them.
‘ I am entirely of his Grace’s opinion, that the
‘ preservation of the *Spanish* dominions in *America*
‘ in that crown has been a point much regarded
‘ by the powers of *Europe*; but why should they
‘ be less jealous of an exorbitant growth of the
‘ strength of *Spain* there, than the just privileges
‘ of the *British* commerce? Or why should we
‘ imagine that the Princes of *Europe* should re-
‘ sent the inforcement of treaties in which them-
‘ selves concurred? Neither the capacity of our
‘ negotiators, nor the honesty of our neighbours
‘ are much complimented by this supposition. I
‘ think we have already given sufficient proofs
‘ that

that neither avarice nor ambition have any share in our demands upon *Spain*; nor is it to be imagined, if our ministers had talked in a higher strain, that *France* and *Holland*, the powers which the noble Duke seems most to apprehend, would have been jealous of any attempt to dismember the *Spanish* monarchy. The first of these powers seems at present too intent upon other pursuits, to meddle in any commercial differences betwixt us and *Spain*; and I believe she has entered into no private stipulations to favour that crown, in case of a rupture; for how could such stipulations have escaped the vigilance of our ministers? The noble Duke himself gave us a very good reason to believe, that *France* would continue neutral; which is, that they cannot gain so much by making themselves parties in the war, as they may gain by observing an exact neutrality, as they have thereby an opportunity of engrossing the most valuable branches of our commerce with *Portugal*, *Spain*, and *Turkey*. So that if this argument of the noble Duke's be good, we could have had nothing to apprehend from any immediate interposition of *France* in favour of *Spain*. But I think even this fear is chimerical; for though during the heat of war our commerce in those parts might be interrupted, yet it must soon return to its former channel. The *Portuguese* would be guilty of the most egregious folly and ingratitude, should they suffer any other nation in *Europe* to rival us in trade with them. The *Spaniards* themselves must purchase our commodities; which has given rise to this proverb in *Spain*, *Peace with England, and war with all the world besides*. And, my Lords, as to our *Turkey* trade, I do not see what the *French* could have done more in a time of war with *Spain* to supplant us there, than they are doing

every day. The *Dutch* on the other hand have long complained of the same treatment from *Spain* that we complain of, and should we enter into a war with *Spain*, all the rules of policy oblige them to second our attempts. I believe indeed that the present situation of their publick affairs, is such as deprives them of the means of giving us that assistance which both their inclinations and interest direct. But I dare say, my Lords, that if they are not able to afford us their good offices, we shall have no reason to be afraid of their ill ones. However, bad as their circumstances may appear, if my information is true, they have not put up with the depredations and insults of the *Spaniards* so tamely as some of their neighbours, who are much more capable of doing themselves justice. Nor can I hear that their conduct has been as yet attended with any bad consequences; and if, my Lords, there were any danger of their repenting of the resolution with which they have acted, I think we ought to assist them as much as possible. But I believe their conduct may have a contrary effect; and may make the *Spaniards* sensible how dangerous it is to provoke a people who have no other means of subsisting but commerce, and whose merchants are the support of their state.

As to the instances the noble Duke gave, in which it may be necessary to yield a little from the rigour of our demands; so far as I have looked into the list of captures, and the papers lying before us, I cannot find that any *British* ship, seiz'd by the *Spaniards*, upon the strictest examination, appears to have been concern'd in the prohibited trade with their settlements. I see, indeed, many instances of our ships and men being seiz'd, against whom nothing can be pretended but that they were within sight of
the

‘ the *Spanish* coast; I see that others were seiz’d
‘ for reasons still more frivolous, and several for
‘ no reason at all; at least, for no other reason
‘ than that they were *British* vessels: And, my
‘ Lords, granting it is true, as the noble Duke
‘ alledges, that some of our merchants carry on
‘ a prohibited trade in the *Spanish* dominions in
‘ *America*, that can never take away the justice of
‘ entering into a war, in order to force the *Spa-*
‘ *niards* to observe their faith, and to indemnify
‘ the fair traders of this nation, whom they have
‘ robb’d and plunder’d. For I will suppose that
‘ if any of the subjects of *Great Britain* have been
‘ concerned in such illicit trade, the *Spanish* go-
‘ vernors have done all they could to prevent it,
‘ and have seiz’d their vessels as often as they
‘ have had opportunity. But these instances ne-
‘ ver can become a national concern, because it
‘ is no more than if a government were to punish
‘ a highwayman or a pirate. Besides, my Lords,
‘ I cannot understand the law of punishing a man,
‘ and then trying him; for such, I apprehend, is
‘ the case which the noble Duke brought to prove
‘ that there was a necessity to treat with the *Spa-*
‘ *niards* before we fight with them. If a *Spanish*
‘ *Guarda Costa* should, in a suspected latitude,
‘ board, and make prize of a *British* vessel, and
‘ when the process of confiscation comes to be
‘ carried on, if it should appear that the goods
‘ on board the *British* vessel had been taken in at
‘ one of the *Spanish* ports in *America*; I shall not
‘ enter into the dispute how far such a ship be-
‘ came a lawful prize; but I think it can admit
‘ of no dispute, that the owners and crew of that
‘ ship were punish’d before they were try’d: For
‘ I take it to be a very great hardship put upon
‘ the master and crew of a vessel, that they are
‘ stop’d from proceeding on their voyage, and
‘ should be glad to know, if it had appear’d that

‘ such a vessel had not been concern’d in an illicit
 ‘ trade, how her owners could have recovered
 ‘ damages from the *Spaniards*. Therefore, my
 ‘ Lords, though I know that the first resolution
 ‘ we have come to, may prevent the *Spanish* prac-
 ‘ tice of stopping and searching our vessels on any
 ‘ pretence whatsoever for the future, yet I cannot
 ‘ see why our ministers should not have sent, in
 ‘ plain terms, to the court of *Spain*, that there is
 ‘ not one instance of their depredations for which
 ‘ we require reparation, that was not a direct
 ‘ breach of their friendship with us; and, my
 ‘ Lords, though I am far from thinking that any
 ‘ one of these instances was a sufficient reason for
 ‘ our breaking with *Spain*, yet I think that if that
 ‘ court pretended to justify any of the captures
 ‘ that appears in the list before us, we had acted
 ‘ both prudently and honestly had we forc’d them
 ‘ to have renounc’d their claim; because there
 ‘ can be no reasons given for their making prize
 ‘ of any one of these vessels, that won’t equally
 ‘ justify their making prize of all the merchant-
 ‘ men his Majesty has in his ports.

‘ The noble Duke was pleas’d to give us an
 ‘ account, from the copies of the memorials ly-
 ‘ ing before us, of the instances made by our
 ‘ minister at the court of *Spain*; and his Grace
 ‘ seem’d to be of opinion, that nothing was omit-
 ‘ ted by him that could be urg’d in favour of our
 ‘ merchants. My Lords, I shall for once grant
 ‘ that this is fact. But give me leave to say that
 ‘ the *Spaniards* are, for that reason, the more in-
 ‘ excusable; and we might have been more easily
 ‘ justified, had we proceeded to other arguments
 ‘ than those in the instructions and memorials.
 ‘ Therefore, upon the whole, I cannot help being
 ‘ of opinion, that we have not acted, in this af-
 ‘ fair, with that vigour and resolution, which the
 ‘ dignity of our crown, or the importance of the

‘ affair requir’d: But where the fault lies, I shall
‘ not pretend to point out.’

He was answered by the Lord *Hervey*, who spoke thus:

‘ My Lords,

‘ I beg leave to observe, that the noble Lord, Lord Her-
vey's speech.
‘ who spoke last, seems to have lost view of the
‘ principal intention of the resolutions now before
‘ us; which is, if I am not mistaken, to lay be-
‘ fore our most gracious Sovereign the sense of
‘ this house, with regard to those points that
‘ ought to be the basis of any future negotiation
‘ with *Spain*; and at the same time, to give his
‘ Majesty the strongest assurances of our resolution
‘ to stand by him in those measures he shall judge
‘ most effectual for preserving our rights of com-
‘ merce, and obtaining satisfaction for the dama-
‘ ges that our merchants have sustained by the
‘ *Spaniards*: But I humbly presume, that at pre-
‘ sent we are not met to censure the conduct of
‘ his Majesty's ministers for what is past.

‘ I think the noble Duke made it unanswerably
‘ plain, from the very words of our memorial
‘ presented to the court of *Spain*, that we have,
‘ in the strongest terms, asserted our claim to a
‘ free and uninterrupted navigation in the *Ameri-*
‘ *can* seas; and this I think the noble Lord who
‘ spoke last seem'd to allow, for his Lordship did
‘ not mention any particular points in which their
‘ representations to that purpose were defective.
‘ But, says the noble Lord, why were we con-
‘ tented with giving in memorials and representa-
‘ tions? Or why did we so tamely bear the breach
‘ of the treaty of *Seville*? This, my Lords, I take
‘ to be the whole of what his Lordship has insist-
‘ ed on; and, in my opinion, it admits of a very
‘ short answer. Immediately after that treaty,

‘ the affairs of *Europe*, from contingencies that
‘ were unavoidable, and impossible to be foreseen,
‘ took a very unexpected turn: Such a turn, my
‘ Lords, as rendered it highly unadvisable in us
‘ to enter into an immediate war with *Spain*.
‘ But, my Lords, though our forbearance might
‘ perhaps have but too much encouraged them in
‘ their interruption of our *American* trade, this en-
‘ couragement was amply compensated by an in-
‘ crease of our trade, which by means of our neu-
‘ trality we enjoy’d with other places of the world,
‘ while most of our neighbours were involv’d in
‘ quarrels with one another. Thus our claim upon
‘ the *Spaniards* was indeed upon very good grounds
‘ delayed, but not given up; and it appears, that
‘ when the proper time came, we did not fail to
‘ assert it.

‘ I generally observe, my Lords, that when
‘ this subject is mention’d by one party in the
‘ nation (I hope we have no parties in this house)
‘ they go very near to assert that there is not a
‘ shilling comes to us by our trade with any
‘ other quarter of the world but with *America*.
‘ My Lords, I acknowledge that our *American*
‘ trade is very beneficial, but I neither think that
‘ the *Spaniards* have entirely ruin’d it, nor that it
‘ would have been prudent in us to have endan-
‘ ger’d the general interests of the nation, before
‘ the several losses our merchants complain of had
‘ been verified upon a parliamentary enquiry. I
‘ shall readily allow that they are now properly
‘ vouch’d, and that the ministry will act a part
‘ very inconsistent with the good of the kingdom,
‘ if they do not exert themselves in such a man-
‘ ner as may procure us ample satisfaction. But
‘ if this is obtain’d by negotiation, it must be
‘ much more agreeable to those who have the in-
‘ terest of their country alone at heart, than if, in
‘ order to obtain it, we rush into a war, of which
‘ nobody

‘ nobody can foresee the consequences. His Ma-
‘ jesty, by the seasonable preparations he has
‘ made, and the orders he has given, will make
‘ *Spain* and all the world sensible that he is re-
‘ solv’d upon the alternative, either of obtaining
‘ an advantageous peace, or entering into an im-
‘ mediate war. And, my Lords, we have the
‘ pleasure of seeing that his Majesty’s conduct has
‘ had one good effect, by inducing the King of
‘ *Spain* to give orders for releasing such of our
‘ sailors as were imprison’d. This, my Lords,
‘ made a considerable article of our merchants
‘ complaints, and why may we not hope for as
‘ effectual a redress as to the other articles? Or,
‘ why should any Lord make any difficulty of
‘ agreeing to a resolution, which is so strongly
‘ supported by the papers lying upon our table?
‘ Our giving the world reason to suspect that his
‘ Majesty is ill serv’d by his ministers, when the
‘ contrary appears so evidently, can never contri-
‘ bute to the recovery of our honour, and the
‘ discouragement of our enemies. And I cannot
‘ but be of the noble Lord’s opinion, who said
‘ that our unanimity in this affair was the most
‘ effectual expedient for promoting our interest.’

Upon the question, the first resolution as it stood amended, and the other resolutions, as proposed by the noble Lord, were agreed to without any division; and a committee being named to draw up an address to his Majesty with the resolutions, after having retired a small time, they returned with an address drawn up, which was agreed to without division, and presented next day by the whole house to his Majesty.

The address, and his Majesty's answer thereto, were as follows, *viz.*

‘ *Most Gracious Sovereign,*

Their address, with his Majesty's answer.

‘ **W**E your Majesty's most dutiful and loyal
 ‘ subjects, the Lords spiritual and tem-
 ‘ poral in Parliament assembled, having taken into
 ‘ our serious consideration the many unjust vio-
 ‘ lences and depredations committed by the *Spaniards*, upon the persons, ships, and effects of
 ‘ divers of your Majesty's subjects in *America*,
 ‘ have come to the following resolutions, which
 ‘ we beg leave in the humblest manner to lay
 ‘ before your Majesty, for your royal considera-
 ‘ tion, *viz.*

‘ I. Resolved, That the subjects of the crown
 ‘ of *Great Britain* have a clear and undoubted
 ‘ right to navigate in the *American* seas, to and
 ‘ from any part of his Majesty's dominions; and
 ‘ for carrying on such trade and commerce, as
 ‘ they are justly intitled unto in *America*; and
 ‘ also to carry all sorts of goods and merchan-
 ‘ dizes, or effects, from one part of his Majesty's
 ‘ dominions to any part thereof; and that no
 ‘ goods, being so carried, are by any treaty sub-
 ‘ sisting betwen the crowns of *Great Britain* and
 ‘ *Spain*, to be deemed or taken as contraband or
 ‘ prohibited goods, and that the searching of
 ‘ such ships on the open seas, under pretence of
 ‘ their carrying contraband or prohibited goods,
 ‘ is a violation and infraction of the treaties sub-
 ‘ sisting between the two crowns.

‘ II. Resolved, That it appears to this house,
 ‘ that as well before, as since the execution of the
 ‘ treaty of *Seville*, on the part of *Great Britain*,
 ‘ divers ships and vessels, with their cargoes, be-
 ‘ longing to *British* subjects, have been violently
 ‘ seized and confiscated by the *Spaniards*, upon
 ‘ pretences

pretences altogether unjust and groundless ; and that many of the sailors on board such ships have been injuriously and barbarously imprisoned and ill-treated ; and that thereby the liberty of navigation and commerce belonging to his Majesty's subjects, by the law of nations, and by virtue of the treaties subsisting between the crowns of *Great Britain* and *Spain*, hath been unwarrantably infringed and interrupted, to the great loss and damage of our merchants, and in direct violation of the said treaties.

III. Resolved, That it appears to this house, that frequent applications have been made, on the part of his Majesty, to the court of *Spain*, in a manner the most agreeable to treaties, and to the peace and friendship subsisting between the two crowns, for redressing the notorious abuses and grievances before-mentioned, and preventing the like for the future, and for obtaining adequate satisfaction to his injured subjects ; which, in the event, have prov'd entirely fruitless, and of no effect.

We think it our duty, on this important occasion, humbly to represent to your Majesty, that we are most sensibly affected with the many and grievous injuries and losses sustained by your Majesty's trading subjects, by means of these unwarrantable depredations and seizures ; and to give your Majesty the strongest and most sincere assurances, that in case your friendly and powerful instances for procuring restitution and reparation to your injured subjects, and for the future security of their trade and navigation, shall fail of having their due effect and influence on the court of *Spain*, and shall not be able to obtain that real satisfaction and security, which your Majesty may in justice expect ; we will zealously and chearfully concur in all such measures, as shall become necessary for the support
of

‘ of your Majesty’s honour, the preservation of
 ‘ our navigation and commerce, and the common
 ‘ good of these kingdoms.’

His Majesty’s most gracious Answer.

My Lords,

I AM sensibly touched with the many hardships and injuries sustained by my trading subjects in America, from the cruelties and unjust depredations of the Spaniards. You may be assured of my care to procure satisfaction and reparation for the losses they have already suffered, and security for the freedom of navigation for the future; and to maintain to my people the full enjoyment of all the rights to which they are intitled by treaty, and the law of nations.

I doubt not but I shall have your concurrence for the support of such measures, as may be necessary for that purpose.

Debate on
the gin-act.

On the 29th of March, Sir Joseph Jekyl mov’d, that leave might be given to bring in a bill for enforcing the execution of an act, made in the 9th year of his Majesty’s reign, entitled, *An act for laying a duty on the retailers of spirituous liquors, and for licensing the retailers thereof*; in which he was seconded by Mr. Winnington, and leave was granted, and a bill was brought in accordingly; which passed the usual forms, but the question being put, upon the third reading, if the bill should pass,

Mr. Sloper spoke as follows:

Mr. Sloper’s
speech.

‘ Mr. Speaker,
 ‘ Sir, I have oppos’d, and am determin’d to
 ‘ oppose this bill, in whatever shape it has or
 ‘ may come before this house; and I cannot let
 ‘ slip

‘ slip this opportunity of expressing my dissent to
 ‘ its passing. We have, Sir, seen very little re-
 ‘ formation in the manners, and very little altera-
 ‘ tion in the constitutions of our common people,
 ‘ since the law against retailing of spirituous li-
 ‘ quors took place; but we have heard of many
 ‘ instances where the magistrates enforcing it
 ‘ has produced the most flagrant perjury, and
 ‘ brought many persons to utter ruin. This bill,
 ‘ Sir, appears to me to be attended with still
 ‘ worse consequences than that which it is design-
 ‘ ed to amend. By one clause of it, Sir, the oc-
 ‘ cupiers of a house are answerable for the offences
 ‘ committed by their lodgers or tenants. I will
 ‘ suppose, Sir, that I am going, for the summer-
 ‘ season, into the country, and leave my house in
 ‘ town to the care of a man, who, with his wife
 ‘ and family, lives in the lower parts, or the offi-
 ‘ ces belonging to it: These people, Sir, are not
 ‘ the occupiers of my house, and if they shall
 ‘ think fit to sell drams, is it just that I, who am
 ‘ the occupier, should forfeit 100l? This, Sir, is
 ‘ one instance of the unreasonableness of our
 ‘ passing this bill; but many more might be
 ‘ brought, if they could serve any purpose.
 ‘ What I have now said is rather to exonerate
 ‘ my own conscience, than from an expectation
 ‘ that what I say will have any weight with the
 ‘ house.’

George Heathcote, Esq; spoke next as follows:

‘ Mr. Speaker,
 ‘ Sir, There is, I humbly conceive, a consi-
 ‘ deration, into which the house ought to go,
 ‘ before we pass this bill; and that is, Sir, what
 ‘ effect the prohibition of spirituous liquors has
 ‘ had, and must have on our sugar islands:
 ‘ These islands, Sir, formerly furnish’d a very
 ‘ large

*Mr. Heath-
cote's speech.*

‘ large branch of our revenue, and by all the
 ‘ maxims of good policy we ought to encourage
 ‘ and protect them. But of late, Sir, I am
 ‘ sorry to say it, they have languish’d prodigiously,
 ‘ and this nation has been thereby depriv’d of a very large revenue. I don’t say,
 ‘ that the present bad state they are in is owing
 ‘ entirely to the prohibition of spirituous liquors,
 ‘ but I know that prohibition is a very great discouragement
 ‘ to their industry, and is the chief reason of their commodities lying upon their
 ‘ hands. Let any gentleman compare the imports
 ‘ of the spirituous liquor made in these colonies within these three years, with the quantity
 ‘ now imported, he will soon be sensible how much they have suffered by this act. I own,
 ‘ Sir, that I think it very unjust, if not ungrateful,
 ‘ in us to treat them in that manner. By discouraging our own sugar islands, Sir, we give
 ‘ the *French*, and every other people who have such settlements,
 ‘ a fair occasion of rivalling us in the most beneficial branches of our commerce;
 ‘ and may, if we continue these discouragements, give them an opportunity of at
 ‘ last entirely ruining our interest in *America*.’

They were answered by Sir *Joseph Jekyl*, to the following effect:

‘ Mr. Speaker,

Sir *Joseph Jekyl*'s speech.

‘ Sir, When a bill has come this length, it is pretty extraordinary for gentlemen to propose
 ‘ their objections to it for the first time. As to what was said by the honourable gentleman
 ‘ who spoke first, I can see nothing in this bill, which can make him apprehensive, that an
 ‘ occupier of a house may be made answerable for the offence of a lodger or tenant; because,
 ‘ if the honourable gentleman had consider’d the
 ‘ bill,

‘ bill, he would have found, that such occupier
‘ is made liable to the penalty only in case he is
‘ acquainted, that such practices are carried on in
‘ his house, and he does not discover them to the
‘ magistrate. The same honourable gentleman
‘ seems to think it meritorious to oppose this bill:
‘ Sir, I, on the other hand, esteem myself happy
‘ in having assisted to promote it.

‘ The honourable gentleman who spoke next,
‘ is afraid lest our sugar islands should suffer if we
‘ pass this bill. I am more afraid, Sir, of the
‘ ruin which our not passing it would unavoidably
‘ bring upon the health and constitutions of the
‘ people of *England*, than of any ill consequences
‘ that can happen from our passing it, to our
‘ sugar islands.’

Sir *John Barnard* then said, ‘ That he thought Lord May-
‘ it would be a more effectual way to prevent the or’s speech.
‘ excessive drinking of spirituous liquors, if the
‘ Parliament would lay such a duty upon them as
‘ would put it out of the power of the inferior
‘ sort of people to procure them. That while
‘ they had it in their power to purchase the al-
‘ lowed quantity, and retail it for double the
‘ price they paid for it, it was impossible for the
‘ civil magistrate to prevent very great abuses in
‘ that respect. That he himself had, within
‘ twelve days, sent above forty of the poor
‘ creatures, who retail spirituous liquors, to pri-
‘ sons of correction; but they did not seem to
‘ value that punishment, since they were always
‘ sure of being free in a short time, and of gain-
‘ ing their bread in the same way after they were
‘ free. That he thought it a hardship to oblige
‘ the civil magistrate to inflict these severities, but
‘ that as he was sensible somewhat must be done,
‘ he would not oppose the passing the bill; only
‘ wish’d,

‘ wish’d, that gentlemen could think of some-
 ‘ thing not so severe, and more effectual, against
 ‘ the next session.’

The question being put, this bill pass’d without division.

Bill for encouraging
 the trade to
America.

Friday the 5th of *May*, *William Pulteney*, Esq; moved the house of Commons, that the 6th and 8th section of an act made in the sixth year of the reign of the late *Queen Anne*, intituled, *An act for the better securing the trade of the kingdom, by cruizers and convoys*; and also the 2d section of an act made in the same year, intituled, *An act for the encouragement of the trade to America*, might be read; which being read, the said gentleman, *Samuel Sandys*, Esq; and *Sir John Barnard*, in short speeches, demonstrated the reasonableness and the necessity of having an act passed of like tendency with these clauses, in our present situation; and the first mentioned gentleman having concluded his speech with a motion, for leave to bring in such a bill, the house accordingly ordered, That leave should be given to bring in a bill for the more effectual securing and encouraging the trade of his Majesty’s *British* subjects to *America*; and that these three gentlemen should prepare and bring in the same. On the *Monday* following, this bill was presented to the house by *Mr. Pulteney*, and being read a first time, was ordered to be read a second time: Next day it was read a second time, and committed to a committee of the whole house, without opposition; and it was resolved, that the house would on *Thursday* morning next, resolve itself into a committee of the whole house upon the said bill; but upon that day this order, as also the order for receiving the report of the coal bill, was put off till the next day. Next day, being *Friday* the 12th of
 ‘ *May*,

May, as soon as Mr. *Pulteney* came to the house, and before Sir *Robert Walpole* was come, he moved for reading the orders of the day, and was seconded by Mr. *Sandys*; whereupon Mr. Speaker stood up and spoke to this effect.

‘ Gentlemen,

‘ A motion so unexpected as the present makes
 ‘ it difficult for me to determine in what manner
 ‘ to behave: It has never been the custom in this
 ‘ house to call for the order of the day till two
 ‘ o’clock at soonest, because by that hour gentle-
 ‘ men are all present in the house, and thereby
 ‘ have the fairer opportunity of knowing the
 ‘ sense of the house upon the business of the day:
 ‘ But as this motion has been made by an ho-
 ‘ nourable gentleman, and regularly seconded by
 ‘ another, it is my duty, if the motion is not re-
 ‘ tracted, to take the sense of the house upon it.
 ‘ And gentlemen, I hope, won’t be offended, if
 ‘ previous thereto I acquaint them with my
 ‘ thoughts of the matter. It is always my cus-
 ‘ tom, gentlemen, before I take the chair, to di-
 ‘ gest in my own mind the manner in which the
 ‘ affairs of the day may be best carried on, both
 ‘ for the ease of gentlemen, and the dispatch of
 ‘ business. Gentlemen know very well that this
 ‘ day they are to have a conference with the
 ‘ Lords about some amendments to the bill for
 ‘ the more effectual securing the payment of rents
 ‘ to landlords, and preventing frauds in tenants.
 ‘ As I believe the conference will not continue
 ‘ very long, perhaps not half an hour, and very
 ‘ little of our time will be spent in the reporting
 ‘ it, I thought the most proper way of proceed-
 ‘ ing on the business of the day was, first to con-
 ‘ sider the amendments of the coal bill, then go
 ‘ to the conference, and when gentlemen are re-
 ‘ turn’d from the conference, which may be a-

Debate upon
committing
it.

Mr. Speak-
er’s speech.

‘ bout

‘bout half an hour after two o’clock, to call in the order of the day, for which the present motion is made. This, gentlemen, was the scheme which I had digested with myself, and I wish it may be agreeable to the house.’

The next who spoke was *William Pulteney*, Esq; who express’d himself thus.

‘ Mr. Speaker,

Mr. Pulteney’s speech.

‘ Sir, When I made the motion, it was not with a design to put the house to any inconveniencies, or to interrupt the other business of the day. But since the session of Parliament is now so far advanced, that if I am rightly informed it will continue but three days longer; and since this bill is of the greatest consequence to the trade and welfare of the nation; and if we do not go through it to day in the committee, it is in danger of being dropt entirely, I thought it necessary to press the consideration of it. The coal bill, I know, though of less importance, will, when we enter upon it, engross much of our time, of which part may be saved, by putting off the report for a day, because gentlemen will have leisure to concert the amendments among themselves, and the house will perhaps escape the trouble of a debate. But the bill in my hand is of a different nature, it is a bill in which we are all equally concerned, a bill for which the publick is anxious, and which claims all the attention we can give; gentlemen can never be more usefully employ’d than in seriously examining how it may be amended or alter’d, so as best to answer the ends for which it is calculated. And as this bill has hitherto met with no professed opposition, as I did not expect it would, I thought there could be no harm in making my motion so early, nor
‘ did

‘ did I dream that any gentleman would imagine,
 ‘ I did it with a design to take any advantage.
 ‘ For these reasons, Sir, I shall beg leave to insist
 ‘ upon my motion.’

He was answered by *Thomas Winnington, Esq;*
 to the following effect:

‘ Sir, I do not believe that there is a gentle- Mr. Win-
 ‘ man in this house who remembers a single in- nington's
 ‘ stance of the order of the day being called for answer.
 ‘ before two o'clock. It has always been the
 ‘ method of this house to receive reports before
 ‘ any other business was engag'd in, and I have
 ‘ now, Sir, in my hand the report of a commit-
 ‘ tee upon the amendments to a bill, on which
 ‘ this house has bestowed more time and confide-
 ‘ ration than upon any bill that has been before
 ‘ it this session. I shall not dispute the impor-
 ‘ tance of the bill which the honourable gentle-
 ‘ man has in his hand; but surely, Sir, its warm-
 ‘ est advocates have no reason to complain of the
 ‘ reception it hath yet met with from the house.
 ‘ It has been twice read and order'd to be com-
 ‘ mitted in as short a time as any bill could be,
 ‘ at the end of a session, and amidst such a mul-
 ‘ tiplicity of business; it is therefore, Sir, I think,
 ‘ but reasonable, that the report I have in my
 ‘ hand be now receiv'd, and that the bill for
 ‘ which the honourable gentleman interests him-
 ‘ self, take its turn in a regular way.’

Here Mr. *Winnington* sitting down, the Speaker
 repeated the substance of what he said before;
 upon which Mr. *Pulteney* rose and spoke as fol-
 lows:

‘ Mr. Speaker,
 ‘ Sir, Though I might very well be excused Mr. Pulte-
 ‘ from ney's speech,
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‘ from retracting the motion I have made, yet
 ‘ your judgment, Sir, shall always have great in-
 ‘ fluence with me. If therefore gentlemen will
 ‘ be pleased to agree to your propofal, I am con-
 ‘ tent that the report which the honourable gen-
 ‘ tleman has to make be now received.’

No reply being made to this, Mr. *Winnington* read the report from the committee on the coal bill, and the house went through the first amend-ment; which occasioning some debate, employ’d them till two o’clock, the hour appointed for the conference. In the mean time, Sir *Robert Walpole* and many other members coming into the house, Mr. *Winnington* moved that the further confideration of the amendments should be refu-med when the conference was over.

Upon this, Mr. *Pulteney* rose up and spoke in substance as follows:

His speech
 against Mr.
Winnington’s
 motion.

‘ Sir, If there is either faith, honour, or com-
 ‘ mon justice amongst gentlemen, this motion
 ‘ ought not to be agreed to. I appeal, Sir, to
 ‘ every gentleman who was in the house, when I
 ‘ moved for the order of the day, if I did not
 ‘ retract my motion, from a deference to your
 ‘ judgment, which influenc’d me to agree to
 ‘ what was contrary to my own. You was plea-
 ‘ sed, Sir, to inform us how you had digested
 ‘ the business of the day in your own mind; and,
 ‘ in consequence of your propofal, we were, im-
 ‘ mediately after the conference, to enter upon
 ‘ the order of the day. This, Sir, I agreed to,
 ‘ and not one gentleman exprefs’d his dissent.
 ‘ With what face then can gentlemen make a
 ‘ motion so contrary to what they agreed to
 ‘ scarce an hour ago! This manner of proceed-
 ‘ ing, Sir, tends to dissolve all the ties of honour
 ‘ and faith that ought to subsist amongst gentle-
 ‘ men;

‘ men; and for that reason, Sir, were it for no
 ‘ other, I hope this house will never agree to so
 ‘ pernicious a precedent.’

He was answer’d by Mr. *Winnington*, in the following terms :

‘ Sir, I know not how just a construction the
 ‘ honourable gentleman who spoke last has put up-
 ‘ on your words, but I am sure I understood them
 ‘ in a manner quite different from what he seems
 ‘ to have done. It never enter’d, Sir, into my
 ‘ head to think that we were to leave the coal bill
 ‘ abruptly, and not proceed again in it, when the
 ‘ house comes from the conference. I could wish
 ‘ indeed that gentlemen had met with no difficul-
 ‘ ties in the amendments, that we might have
 ‘ gone into a committee upon the honourable gen-
 ‘ tleman’s motion, when we returned from the con-
 ‘ ference. But, Sir, as this is a bill of very great
 ‘ consequence to the cities of *London* and *Westmin-*
 ‘ *ster*, I hope gentlemen will be pleased to confi-
 ‘ der, that if they should postpone it now, it per-
 ‘ haps may not be ready for the royal assent this
 ‘ session; and that before the next, extortion may
 ‘ proceed to greater enormities, and the grievance
 ‘ become too heavy to be born. A man, Sir, must
 ‘ always be the best judge of his own intentions,
 ‘ and I declare I never had the least intention of
 ‘ leaving this bill unfinish’d, in order to proceed
 ‘ upon another, which, however fond some gen-
 ‘ tlemen are of it, may perhaps, when carefully
 ‘ examined, not be found of such importance as
 ‘ they imagine.’

Mr. *Win-*
nington's
 answer.

He was answered by several members of the country party, particularly by *Samuel Sandys*, Esq; *Lord Polwarth*, and Sir *William Wyndham*, who all declar’d that they apprehended the house was

to proceed upon the coal bill till the time appointed for the conference, and that when the conference was over, they were immediately to resolve into a committee upon the bill mov'd to be considered. At the same time they called loudly upon the Speaker to inform the house, if that was not his meaning, if he did not understand that it was upon that assurance that the motion made by Mr. *Pulteney* was retracted.

The Speaker seeming unwilling to give any positive decision, Sir *Robert Walpole* rose, and spoke to the following purpose :

‘ Mr. Speaker,

Sir Robert
Walpole's
speech.

‘ Sir, I own myself a little unfit to speak in this
‘ debate, because I was not present when the ho-
‘ nourable gentleman made the motion that gave
‘ rise to it. But, I think, Sir, neither the honour-
‘ able gentleman himself who made the motion,
‘ nor any of his friends who have since given the
‘ house their sense of the matter, have affirmed,
‘ that the honourable gentleman who opposed the
‘ motion dropt one word, from which it could be
‘ inferred that he should be willing that the house
‘ should leave the bill upon which we now are,
‘ without compleating it, in order to examine ano-
‘ ther bill, only because it is so much a favourite
‘ of the honourable gentleman who made the mo-
‘ tion, that rather than omit any thing that could
‘ tend to promote it, he chose to act in a way
‘ somewhat dark, artful, and suspicious, by mo-
‘ ving for the order of the day at a very unusual
‘ time, when by the well-known form of the
‘ house, the preference was to be given to other
‘ business.

‘ This, among gentlemen, is an uncommon way
‘ of acting, and like gaining a stolen march upon
‘ a dreaded adversary.

‘ If,

‘ If, Sir, one gentleman has a fondness for a bill which has, perhaps, cost him some trouble in preparing and bringing into the house, sure it is very reasonable to indulge another gentleman in the same partiality for one that has cost the house so much time and trouble in examining, canvassing, and amending, as the bill now under our consideration has done.

‘ For this reason, Sir, I am for resuming the consideration of this bill, and when we have gone through it, I shall, with all my heart, agree to our examining the other bill, if the house shall think proper. In the mean time, Sir, I cannot see with what reason the honourable gentleman who made the motion should accuse gentlemen of a breach of faith, honour, and common justice, for not understanding your words in the very same manner with himself: Nor indeed do I think a matter of this importance ought to have taken up so much of our time: Nobody opposes our going into a committee upon his bill, only let us do it at a convenient time, without postponing other business that ought to have the preference. Therefore, Sir, I am entirely of opinion, that we ought to resume the further consideration of the bill now before us.’

William Pulteney, Esq; spoke next to the following effect:

‘ Mr. Speaker,
‘ Sir, From what was last spoken, I can easily foresee the fate of the bill I have now in my hand: I can discern, through all these thin disguises, that some gentlemen have recourse to, a mean expedient to hinder us from considering a bill against which no shew of reason or argument can be advanc’d. I hate, Sir, all expedients, and I disdain all ministers who use them.

Mr. Pulteney's speech

Some ministers, Sir, there are, who live upon expedients, and who cannot do their dirty work without them. Expedients, Sir, in the hands of weak ministers, are the instruments of defeating the most beneficial, and of promoting the most destructive measures. Some ministers know, Sir, that the bill for which I now stand up, is a bill that leaves no room for cobweb negotiations, inconsistent treaties, or mock expeditions for the future; and that, Sir, is the reason why this method is made use of to undermine it. If I had been capable of acting as the honourable gentleman who spoke last has suggested, I might have had many opportunities of taking the advantage of a thin house, either to bring in or throw out bills of the greatest consequence. I appeal to every gentleman who hears me, if it has not been many times in my power to have drop'd in, even upon a land-tax bill, with half a dozen of my friends, and to have thrown it out. But, Sir, I have always disdained these arts. The bill, Sir, for which I have laboured, will, I hope, recommend itself to every gentleman who has a just sense of his country's honour; and if it is decreed that it must fall to the ground, I shall at least have the satisfaction of doing my duty honestly as a *British* subject and a member of this house. One good consequence I am persuaded will attend it: My countrymen will learn by the fate of it, what they are to expect; they will learn, Sir, whether we are tamely to submit to insolence and oppressions, or bravely to seize the means of redressing them.

This

This speech put the house into some confusion, and being personally levelled against the Minister, he thought proper to make the following answer:

‘ Mr. Speaker,

‘ Sir, Though the manner in which the ho-
 ‘ nourable gentleman who spoke last delivered
 ‘ himself——may well excuse me from saying
 ‘ any thing in answer to a speech so very unpar-
 ‘ liamentary, and so very inconsistent with all the
 ‘ rules of common decency; yet I think I ought
 ‘ to shew so much regard to the house, as to de-
 ‘ clare, that I abhor dirty expedients as much as
 ‘ the honourable gentleman would be thought to
 ‘ do. As for his common-place railing against
 ‘ ministers, it gives me very little trouble, so
 ‘ long as I am conscious I do not deserve to have
 ‘ it apply’d to me. Were I ambitious of shew-
 ‘ ing my wit, I might have a fair opportunity of
 ‘ doing it by railing against mock-patriots as
 ‘ much as the honourable gentleman has been
 ‘ pleased to do against corrupt ministers, and
 ‘ both perhaps might be equally instructive to the
 ‘ house. But railing of all kinds, Sir, has al-
 ‘ ways been look’d upon as the last expedient of
 ‘ disappointed ambition, and a poor expedient it
 ‘ is. Were I one who for many years had un-
 ‘ successfully endeavoured, by all the arts that
 ‘ malice and falshood could suggest, to work my-
 ‘ self into those posts and dignities that I out-
 ‘ wardly affected to despise, I know not how far,
 ‘ Sir, my temper might be soured as to make use
 ‘ of such an expedient; but really, Sir, if I did,
 ‘ I should make but a very poor figure in the
 ‘ world. Why the honourable gentleman should
 ‘ suppose there was any premeditated design in
 ‘ the ministry to throw out his favourite bill,

*Sir Robert
Walpole's
answer.*

‘ I cannot comprehend. I believe every gentle-
 ‘ man here will in his own mind acquit the
 ‘ ministry of any such design, when he reflects
 ‘ upon the circumstance that gave rise to this
 ‘ debate. For my part, Sir, I doubt not but
 ‘ I shall be able, without having recourse to any
 ‘ other expedient than reason and argument, to
 ‘ shew that the bill for which the honourable gen-
 ‘ tleman so earnestly pleads, is a very bad bill,
 ‘ that it is a bill with a specious title, but of a
 ‘ destructive tendency. But, Sir, as it depends
 ‘ principally upon you to clear up the facts that
 ‘ gave rise to this debate, I shall take the liberty
 ‘ to beg that you would inform the house how
 ‘ the matter stands, and for my own part I shall
 ‘ very chearfully acquiesce in your decision.’

When Sir *Robert Walpole* sat down, the house
 almost unanimously cry’d out, *The chair! The*
chair! Upon which the Speaker spoke to the
 following effect:

‘ Gentlemen,

Mr. Speak-
er’s speech.

‘ I am extremely sorry that any thing which
 ‘ fell from me should have given occasion to
 ‘ a debate of this kind, and it is a very disagreea-
 ‘ ble business to be obliged to declare my opinion
 ‘ in the present case: However, gentlemen, as
 ‘ you call upon me so loudly, and so unanimously
 ‘ to do it, I will, without regard to any persons,
 ‘ or to any distinctions, inform the house of my
 ‘ real sentiments. When I made this controvert-
 ‘ ed proposal, I thought there was but very little
 ‘ to do in the coal bill, and that it might have
 ‘ been easily over before the hour appointed for
 ‘ the conference; and indeed I must, in justice to
 ‘ the honourable gentleman who made the first
 ‘ motion, declare, that, as I understood it, he
 ‘ retracted his motion upon the supposition that
 ‘ the

‘ the house complied with the terms which I
 ‘ proposed. These terms were, that we should,
 ‘ after the conference was over, immediately go
 ‘ into a committee upon the honourable gentle-
 ‘ man’s bill ; as no objection was made to what I
 ‘ suggested, either by the honourable gentleman
 ‘ who made the last motion, or any of his friends,
 ‘ I did, indeed, take it for granted that the terms
 ‘ of my proposal were actually agreed to. How-
 ‘ ever, I shall be very proud, if what I am now
 ‘ going to suggest can contribute to make up this
 ‘ breach. The conference will probably be over
 ‘ in half an hour, during which time all proceed-
 ‘ ings on business in this house are at a stand, and
 ‘ gentlemen may thereby have an opportunity of
 ‘ preparing matters so as to render it easy for the
 ‘ house to dispatch the coal bill in a very short
 ‘ time. I shall therefore take the liberty to pro-
 ‘ pose, that after gentlemen are returned from
 ‘ the conference, the house shall proceed for half
 ‘ an hour upon the coal bill, and then resolve
 ‘ into a committee on the other. If the coal bill
 ‘ cannot be dispatched in half an hour, I hope
 ‘ gentlemen will be pleased to agree with our
 ‘ meeting to-morrow ; and if they will come
 ‘ early, I believe we shall have time enough for
 ‘ going through the coal bill, and receiving the
 ‘ report of the other bill.’

Upon this, *William Pulteney*, Esq; rose, and
 spoke to the following purpose:

‘ Mr. Speaker,
 ‘ Sir, I own the warmth of my temper trans-
 ‘ ported me, when I spoke last, into some ex-
 ‘ pressions, for which I am now very sorry.
 ‘ But what man, treated as I was, could have
 ‘ avoided some excess. As you, Sir, have been
 ‘ so candid as to inform the house of the truth of
 ‘ the

Mr. Pulteney's speech.

‘ the matter, and so kind as to propose the method of our proceeding, I entirely agree with your proposal. I hope it is fully understood by gentlemen, and that there will be no mistakes about it when the proper time comes.’

There being no objection made to this proposal, the names of the gentlemen appointed to manage the conference were called over, and after they had been gone about half an hour, they returned; upon which every thing was carried on according to the Speaker’s scheme, and the committee having gone through the bill, the report was ordered to be received next day.

Debate on
throwing
out the bill.

Accordingly next day, the amendments made by the committee being agreed to by the house, the bill was ordered to be engrossed; and on the *Monday* following it was read a third time; when *Samuel Sandys, Esq;* spoke thus in favour of the bill:

Mr. Sandys’s
speech.

‘ Mr. Speaker,
‘ Sir, When a difference happens between two
‘ nations, or when one nation has been injured or
‘ insulted by another, and a war is like to ensue,
‘ it has always been held, that the best method
‘ for obtaining an honourable peace, is to provide
‘ for carrying on a vigorous war. The present
‘ differences between *Spain* and us, are of such a
‘ nature, as must very soon terminate in a new
‘ treaty, or an open rupture: The pretences and
‘ claims they have lately set up against us, are so
‘ groundless, and the injuries they have done us,
‘ and do still continue to do us, under these pretences and claims, are so heinous, that we can
‘ no longer suffer them, I am sorry we have suffered them so long; therefore, if they do not
‘ forthwith agree to do us justice in a peaceable
‘ way,

‘ way, we must have recourse to arms. Of this,
 ‘ Sir, we are so sensible, that we have, in this
 ‘ session of Parliament, already enabled his Ma-
 ‘ jesty to provide for war, and have, in the most
 ‘ solemn manner, declared, that we will support
 ‘ his Majesty in whatever measures he may find
 ‘ necessary, for vindicating the honour of his
 ‘ crown, and for procuring reparation to his in-
 ‘ jured subjects, and satisfaction for the insults
 ‘ that have been put upon the nation. This may
 ‘ contribute towards convincing the *Spaniards*
 ‘ that we are now in earnest, and may therefore
 ‘ contribute towards the success of our negotia-
 ‘ tions; but as the contests between the two
 ‘ nations are now brought to such a crisis, that,
 ‘ if we do not obtain an honourable treaty, and I
 ‘ hope we will not accept of any other; I say, if
 ‘ we do not obtain an honourable treaty before
 ‘ next session of Parliament, we must be involved
 ‘ in an expensive, and for what I know, a dan-
 ‘ gerous war; therefore, if there be any laws or
 ‘ regulations which may contribute towards our
 ‘ being able to carry on the war with vigour, and
 ‘ which must have the consent of Parliament,
 ‘ they ought to be agreed to before this session
 ‘ expires; and of all the regulations that can be
 ‘ thought of, I am of opinion, there are none
 ‘ more necessary, nor any that will contribute
 ‘ more towards our procuring an honourable
 ‘ peace, or being able to commence the war with
 ‘ vigour and success, than the regulations pro-
 ‘ posed by the bill now before us.

‘ In case of a war with *Spain*, Sir, the chief
 ‘ way by which we can propose to injure them,
 ‘ or gain any advantage to ourselves, must be by
 ‘ sea; and the only way by which they can pro-
 ‘ pose to injure us, or to get any benefit for them-
 ‘ selves, must likewise be by sea: The taking
 ‘ and plundering of one another’s ships, and the

‘ attacking

‘ attacking one another’s plantations in *America*,
‘ will probably be the principal means made use
‘ of by each of us, for compelling the other to
‘ submit; therefore, we must not only have se-
‘ veral strong squadrons at sea, for asserting our
‘ dominion, and preserving our superiority, upon
‘ that element; but we must have a great number
‘ of cruizers, convoys, and guard-ships, for pro-
‘ tecting our own trade, and a great number of
‘ privateers for infesting theirs. This, I believe,
‘ will be admitted by every gentleman who un-
‘ derstands the circumstances of the two nations,
‘ and the situation of our respective dominions;
‘ and therefore, I think, it must be admitted, that
‘ in case of a war, we not only ought to take all
‘ proper methods to encourage seamen to enter
‘ into his Majesty’s service, but we ought likewise
‘ to encourage private adventurers, to fit out pri-
‘ vateers and armed vessels, for plundering and
‘ annoying the enemy. This, Sir, is what we
‘ have done in all the wars we have hitherto car-
‘ ried on, and it is what we ought to do in every
‘ war we can be engaged in; because our princi-
‘ pal force lies in our navy. At land we are
‘ rather inferior to some of our neighbours; but
‘ at sea we are superior to all; and we ought, if
‘ possible, to bring every war we are engaged in,
‘ to be decided in that way, in which our supe-
‘ riority consists. Even the brute beasts, we find,
‘ have recourse always to that method of attack
‘ or defence, in which their superiority consists;
‘ and by continual practice and exercise, we find,
‘ they improve it as much as they can.

‘ Before the 6th of the late *Queen Anne*, Sir,
‘ the usual methods we took for encouraging sea-
‘ men to enter into his Majesty’s service, and
‘ for encouraging his Majesty’s ships of war to
‘ take prizes from the enemy, was to give the of-
‘ ficers and seamen, a certain share of every prize
‘ they

‘ they should take ; and the method we took
‘ to encourage private adventurers, to fit out
‘ armed vessels for the same purpose, was to give
‘ them the King’s commission, with a grant of all
‘ prizes they should take, reserving only such a
‘ share for his Majesty. From these regulations it
‘ became necessary to erect prize offices, which
‘ were to have the management and sale of all
‘ prizes taken, in order that they might settle and
‘ reserve his Majesty’s share, and divide the sur-
‘ plus, among those that had a right to it ; but
‘ the commissioners and other officers concerned
‘ in these offices, had such clammy fingers, as all
‘ those concerned in publick offices usually have,
‘ that the greatest part of the money that went
‘ through their hands, stuck to their fingers, so
‘ that the poor seamen, officers as well as sailors,
‘ after they had perhaps ventured their lives in
‘ taking a prize, got but little, and sometimes no
‘ share at all, of the prize they had taken. This,
‘ Sir, greatly discouraged his Majesty’s ships of
‘ war, from giving themselves the trouble to take
‘ any prize ; and it likewise discouraged private
‘ adventurers from fitting out any privateers, or
‘ being concerned in any such projects ; but the
‘ latter were under still another disadvantage ; for
‘ as the admiralty were not obliged to grant com-
‘ missions but to such as they pleased, if the ad-
‘ venturers had no friend at the admiralty board,
‘ they were put to so much trouble and expence,
‘ before they could obtain a commission, that they
‘ often gave over their design, which discouraged
‘ them, and many others, from ever making any
‘ more such applications.

‘ These inconveniencies, like many others,
‘ were long taken notice of, before proper me-
‘ thods were taken for preventing them ; but at
‘ last they became so grievous, and in the last war
‘ we were concerned in, they were found to be of

‘ such mischievous consequence, that they came
‘ under the cognizance of Parliament, the conse-
‘ quence of which was, that in the sixth of the
‘ late Queen *Anne*, a law was passed, *For better*
‘ *securing the trade of this kingdom by cruisers and*
‘ *convoys*. By this law, which was made to con-
‘ tinue only during the war we were then engaged
‘ in, it was enacted, That if any vessel should be
‘ taken by any ship of war or privateer, and con-
‘ demned as prize, the officers and seamen con-
‘ cerned in taking her, should have the sole interest
‘ and property in the ship and cargo so taken. By
‘ the same act, proper methods were laid down
‘ for managing and disposing of the prize, and for
‘ dividing the money arising from the sale thereof,
‘ among those that had, and only ought to have,
‘ a right to it, without subjecting our brave and
‘ honest seamen to the fees, perquisites, and usual
‘ purloinings of a publick office; and as a further
‘ encouragement for our seamen, to weaken and
‘ distress the enemy, by seizing and taking their
‘ ships, a reward of 5*l.* to be paid out of the pub-
‘ lick revenue, was given to every man that was
‘ on board such ship of war, or privateer, at the
‘ beginning of the engagement; so that every sea-
‘ man had the comfort to think, that if he was
‘ killed in the action, his wife and children, or his
‘ executors, would be sure of getting something
‘ by his death.

‘ But this affair having once been brought under
‘ the consideration of Parliament, even this law
‘ was not thought sufficient for the encouragement
‘ of our seamen, and for preventing the abuses that
‘ had been put upon them; and therefore, Sir,
‘ another act was passed the same year, for encou-
‘ raging our trade to *America*, by which it was
‘ expressly enacted, That all prize offices should be
‘ suppressed; and that the officers and seamen of
‘ every ship of war, should have the sole interest
‘ in

‘ in all ships and goods they should take in *Ameri-*
‘ *ca*, such ships or goods being first condemned by
‘ the proper court as lawful prize. By the same
‘ act it was likewise enacted, That, during the war,
‘ the Lord Admiral, or Commissioners of the Ad-
‘ miralty, should, at the request of any *British*
‘ owner of any ship, giving security as usual,
‘ except for payment of the tenth to the Lord
‘ Admiral, grant commissions to the commanders
‘ of such ships, for seizing ships and goods belong-
‘ ing to her Majesty’s enemies, in any sea or river
‘ in *America*; and that the ships and goods so ta-
‘ ken, after being adjudged prize, should be divi-
‘ ded amongst the owners of, and persons on
‘ board, the ship that took them, according to the
‘ agreement that had been made between the own-
‘ ers and ship’s crew. And, in order to encourage
‘ private men, or societies, to be at the expence of
‘ attacking and making war upon the enemies of
‘ their country, it was by the same law enacted,
‘ That her Majesty, during the war, might grant
‘ commissions or charters to any persons or socie-
‘ ties, for taking any ships, goods, harbours, lands,
‘ or fortifications, of her Majesty’s enemies in *A-*
‘ *merica*, and for their holding and enjoying the
‘ same, as their own property and estate, for ever.
‘ These regulations, Sir, were found of great
‘ benefit, during the remaining part of that war;
‘ and, I am so fully convinced, that they will al-
‘ ways be found of great benefit, not only to the
‘ particular persons concerned, but to the nation in
‘ general, during every war we may hereafter be
‘ engaged in, that I am sorry they were not all
‘ made perpetual; which might then have been
‘ easily done, because it might have been enacted,
‘ that they should, at the beginning of every fu-
‘ ture war, be revived by his Majesty’s proclama-
‘ tion, and that they should then continue in force
‘ till his Majesty put a stop to them by a new pro-
‘ clamation.

‘ clamation. This, I think, Sir, was a fault or an
‘ oversight at that time; and, as we are now in
‘ danger of being involved in a war, before next
‘ session of Parliament, we ought therefore, in this
‘ session, to repair that fault or oversight; at least
‘ we ought to repair it conditionally, by enacting,
‘ that, in case of a war with *Spain*, these several
‘ regulations should be revived. For this purpose,
‘ and for this purpose only, the bill now before
‘ you was brought in; therefore, I hope it will be
‘ the more readily agreed to; for, as it is not a bill
‘ for introducing any new law, or for establishing
‘ any regulation, of which we have had no expe-
‘ rience, as the only intention of the bill is, to re-
‘ vive some former temporary regulations, that
‘ were found to be of great advantage during the
‘ last war, it can occasion no jealousy or suspicion
‘ in any *British* subject, nor can it give uneasiness
‘ to any man that wishes well to *Great Britain*.
‘ It may, indeed, give some uneasiness and con-
‘ cern to the court of *Spain*; because it will con-
‘ vince them, that we are resolved not to be put
‘ off any longer with tedious negotiations, or sham
‘ treaties; that nothing will now prevail, but
‘ granting us immediate and full satisfaction; and
‘ that if we send out any more squadrons, it will
‘ not be to pay them a compliment, but to pour
‘ down the vengeance of *Great Britain* upon them.
‘ But this, Sir, is so far from being an argument
‘ against the bill, that it is a strong one in its fa-
‘ vour; for without going to war, it will be im-
‘ possible to procure a speedy and honourable
‘ peace, unless we convince them, that they have
‘ no way to avoid a war, but by an immediate
‘ compliance with our just demands.

‘ The bill, as I have said, Sir, cannot, in my
‘ opinion, give the least alarm to any *British* sub-
‘ ject, or to any man who has nothing but the
‘ honour and interest of *Britain* at heart; but, as
‘ some

‘ some gentlemen that hear me, may not be fully
‘ acquainted with those laws or regulations which
‘ it is intended to revive, or with the law relating
‘ to captures or prizes, as it stands at present, I
‘ must acquaint them, that as the law now stands,
‘ the officers and seamen of any of our ships that
‘ happen to take an enemy’s ship, get but little ad-
‘ vantage by the prize so taken, though some of
‘ them perhaps lost, and all of them ventured,
‘ their lives in making the capture. This has al-
‘ ways been deemed a disadvantage to the nation
‘ in time of war; because it makes our seamen not
‘ so fond of attacking and taking enemies ships, as
‘ they would be, if the whole of what they take
‘ were to be divided among them; therefore, the
‘ first regulation established by this bill is, That
‘ the officers and seamen concerned in the taking
‘ of any prize, shall have the sole property therein,
‘ in the same manner as they had during the last
‘ four or five years of the late war. This clause
‘ contains nothing but a revival of a like clause in
‘ the act, *for securing our trade by cruisers and con-*
‘ *voys*, which, as I have said, was passed in the
‘ sixth year of the late Queen, and which expired
‘ at the end of the war we were then engaged in.
‘ By another clause in the bill now before us, a
‘ reward or bounty of 5*l.* is given to every man
‘ concerned in the taking of any prize; and is like-
‘ wise nothing but a revival of a like clause con-
‘ tained in the expired law I have just mentioned.
‘ Neither of these clauses can, I think, be objected
‘ to, because they were found to be of great use in
‘ the late war, and will certainly be found to be of
‘ the same use, in case we should now be obliged
‘ to enter into a new war.

‘ As to the other clauses in this bill, Sir, they
‘ are only for reviving and extending some of the
‘ clauses in the act *for encouraging our trade to A-*
‘ *merica*, which, as I have said, was likewise pass-

‘ ed in the sixth year of the late Queen. I mean,
‘ that for encouraging private adventurers to fit
‘ out ships for taking and seizing the ships and
‘ goods belonging to our enemies; and, that for
‘ encouraging private men or societies to be at the
‘ expence of attacking and taking from our ene-
‘ mies, some of their lands, forts, or harbours;
‘ both which may be of great service in case of a
‘ war, because the enemies of the publick may
‘ thereby be weakened and distressed, without put-
‘ ting the publick to any expence; which, I think,
‘ is one of the most prudent methods of making
‘ war; and, I may, with the more confidence say
‘ so, because it was a method taken by our glori-
‘ ous Queen *Elizabeth*, in the war she had with
‘ the same nation, against which, we are now in
‘ some likelihood of being engaged. When that
‘ glorious and wise Queen was at war with the
‘ *Spaniards*, instead of loading her people with
‘ taxes for the carrying on of that war, she found,
‘ by the assistance of Admiral *Drake*, a set of pri-
‘ vate men in *England* and *Holland*, who, at their
‘ own expence, in hopes of reimbursing themselves
‘ by the plunder they should meet with, fitted out
‘ a fleet of upwards of 100 sail of ships, with 12
‘ or 14,000 land forces on board, with which they
‘ invaded *Spain* itself, took and plundered several
‘ of their towns, and would have taken the rich
‘ city of *Lisbon*, which was then in the hands of
‘ the *Spaniards*, if it had not been for an accident.
‘ In this expedition, neither the Queen, nor the
‘ publick, was at any expence, nor did either of
‘ them contribute any thing towards it, except a
‘ few ships of war, which the Queen lent to the
‘ undertakers. This shews what great things may
‘ be done, by private adventurers, when properly
‘ encouraged, and how necessary it is for the pub-
‘ lick, to countenance and authorize all such un-
‘ dertakings.

‘ Thus,

‘ Thus, Sir, I have briefly explained to you the
‘ nature of the bill now before us; and, from what
‘ I have said, it will appear, that, if we come to
‘ no rupture with *Spain*, there is nothing in the
‘ bill that can take any effect. In this case, it can
‘ do us no harm, but may do us good, by con-
‘ vincing *Spain* that we are in earnest, and thereby
‘ forcing them to come to a speedy accommoda-
‘ tion of all the differences now subsisting between
‘ the two nations. Whereas, on the other hand,
‘ if we should be obliged to declare war, or begin
‘ hostilities, before next session of Parliament, the
‘ passing of this bill into a law this session, will be
‘ of great service to us; because it will encourage
‘ our seamen to enter immediately into his Majes-
‘ ty’s service, and it will likewise encourage private
‘ adventurers to send out privateers as soon as war
‘ is declared, or hostilities begun: Both which
‘ must be of greater advantage at the commence-
‘ ment of a war, than they can be after the war
‘ has been for some time carried on; because our
‘ enemies will then be more upon their guard, and
‘ better able to repel an attack, than they can be
‘ supposed to be at the beginning of a rupture.
‘ By encouraging our seamen to enter voluntarily
‘ into his Majesty’s service, we shall not only put
‘ it into the power of our government to fit out a
‘ powerful squadron in a few weeks, perhaps in a
‘ few days, after they have resolved to begin hos-
‘ tilities or to declare war; but, we shall also, in a
‘ great measure, prevent our being obliged to have
‘ recourse to that destructive method of pressing,
‘ which is so inconsistent with our constitution, so
‘ hurtful to our trade, and so oppressive upon our
‘ seamen, who are, I may say, the most useful
‘ part of our people.

‘ Another argument, Sir, and I think a very
‘ strong one, for passing this bill, is, that it will
‘ encourage such of our seamen as are in foreign

‘ service, to return to their own country. They
‘ will from thence conclude, that we are to fit out
‘ no more peaceable squadrons, nor to make any
‘ more *Spithead* expeditions: They will suppose
‘ that both riches and glory may now be acquired
‘ in the service of their native country; and there-
‘ fore they will return, as soon as they can get an
‘ opportunity. If there be any of them in the
‘ service of *Spain*, and, I’m afraid, there are too
‘ many, they may get an opportunity of returning
‘ from thence, before a war breaks out; but if we
‘ give them no encouragement to return before the
‘ war is actually begun, it will then be impossible
‘ for them to return to the service of their coun-
‘ try; they must continue in the service of *Spain*
‘ against their country; and they will certainly be
‘ the most useful men the *Spaniards* can employ,
‘ in such expeditions as they may make against any
‘ of our settlements in *America*, or against any of
‘ our other dominions.

‘ These, Sir, are a few of the advantages that
‘ will accrue from our passing this bill into a law;
‘ but if it should be refused, now it is brought in,
‘ we may easily foresee the consequence of such a
‘ refusal. The court of *Spain* will be convinced,
‘ or at least will believe, that we dare not resent
‘ the injuries we have met with, or insist upon any
‘ effectual security against our meeting with such
‘ for the future; therefore, they may very proba-
‘ bly refuse giving us reparation for what is past,
‘ or security in time to come; so that by endea-
‘ vouring to avoid a war, or by not providing for
‘ it, we shall draw ourselves into it; and what is
‘ still worse, when we come to find a war necessa-
‘ ry, when we have actually resolved upon it,
‘ none of our own people will believe us, nor will
‘ any of our seamen enter voluntarily into the ser-
‘ vice of their country: They have been of late
‘ so often amused with preparations and expedi-
‘ tions,

‘ tions, which have ended in nothing but exposing
 ‘ them to the ridicule of their enemies, that, if we
 ‘ were to fit out a Squadron with the firmest reso-
 ‘ lution to send it upon immediate action, I believe
 ‘ very few seamen would enter themselves volun-
 ‘ tarily on board, which would make our prepara-
 ‘ tions so languid and tedious, that, instead of
 ‘ giving a fatal blow at the beginning, we might
 ‘ probably meet with one.

‘ I therefore hope, Sir, the bill will meet with
 ‘ no opposition, and I have the more reason to
 ‘ hope so, because I cannot so much as suggest to
 ‘ myself any one reasonable objection that can be
 ‘ made to it. But, if there be any gentleman in
 ‘ this house, whose invention is more fertile than
 ‘ mine, and if any such gentleman should offer
 ‘ some sensible objections against it, the honoura-
 ‘ ble gentleman, who first mentioned this bill, and
 ‘ several others, who, I know, are friends to it,
 ‘ are more able to give them an answer than I am;
 ‘ therefore, I shall not forestal the debate, by start-
 ‘ ing and answering some trifling objections that
 ‘ may, perhaps, be suggested against its being pass-
 ‘ ed into a law this session of Parliament.’

The next speech made in this debate, which we shall communicate, is, that which was made by the right honourable Sir *Robert Walpole*, who spoke to this effect, *viz.*

‘ Mr. Speaker,

‘ Sir, As I am fully apprized of the many vio-
 ‘ lences and horrid cruelties that have been com-
 ‘ mitted by some of the *Spanish Guarda Costa's* in
 ‘ *America*, as I am fully sensible of the dishonour
 ‘ that would be reflected upon his Majesty's crown
 ‘ and dignity, and of the contempt that would be
 ‘ brought upon the nation, if those violences and
 ‘ cruelties should be allowed to pass unpunished,

Sir Robert
Walpole's
speech.

‘ it is with the utmost reluctance I stand up to
 ‘ oppose any measure, that has but a seeming
 ‘ tendency towards procuring us that reparation
 ‘ and satisfaction, we have so just a title to insist
 ‘ on ; but when I hear a measure proposed, which
 ‘ must inevitably and immediately plunge us into
 ‘ an expensive, a dangerous, and a destructive
 ‘ war, or which must, at least, make it extremely
 ‘ difficult, if not impossible, to obtain any satis-
 ‘ faction in a peaceable way, I should think my-
 ‘ self deficient in that duty which, from the sta-
 ‘ tion I have the honour to be in, I owe to his
 ‘ Majesty, I should think myself deficient in that
 ‘ duty which, as a member of this house, I owe
 ‘ to my country, if I did not give my reasons
 ‘ against such a proposition ; especially, when
 ‘ I think, that it must expose us to many other
 ‘ inconveniencies, besides that of involving us
 ‘ into an immediate war, and can answer no good
 ‘ end, but what may be easily attained, without
 ‘ our agreeing to any such proposition.

‘ When we talk, Sir, of the depredations com-
 ‘ mitted by the *Spanish Guarda Costa's* in *Ame-*
 ‘ *rica*, I find, gentlemen are very apt to attribute
 ‘ them to the whole nation of *Spain*. They
 ‘ talk as if these depredations had been autho-
 ‘ rized, or at least approved of, by the govern-
 ‘ ment of that kingdom ; whereas, it does not
 ‘ yet appear, that the government has so much
 ‘ as connived at any of them, nor has the court
 ‘ of *Spain*, as yet, refused to order restitution,
 ‘ in any one case where the seizure has been made
 ‘ appear to be unjust. There is, therefore, room
 ‘ still left for negotiation ; and if we can obtain,
 ‘ by peaceable means, the utmost we can expect
 ‘ by force of arms, I am sure no man of com-
 ‘ mon prudence, unless he has some other view
 ‘ than that of the good of his country, would
 ‘ advise us to provoke the kingdom of *Spain* to a
 ‘ war,

‘ war. I hope I have always shewn myself as
‘ jealous of the honour of my country, and as
‘ zealous for asserting it upon all occasions, as
‘ any man ought to be; but I must upon
‘ the present occasion think, that we have al-
‘ ready testified sufficiently our zeal for the ho-
‘ nour of the nation, and our concern for the suf-
‘ ferings of our merchants and seamen. We have
‘ already addressed his Majesty to use his utmost
‘ endeavours for obtaining reparation to our mer-
‘ chants, and satisfaction to the nation. We have
‘ promised to support his Majesty in whatever
‘ measures he may find necessary for that purpose.
‘ We have even made some provision for a war,
‘ in case it should be found necessary; and in
‘ consequence of what we have done, we can
‘ make no doubt, but that his Majesty has sent
‘ orders to his minister at the court of *Spain*, to
‘ insist upon a full and speedy satisfaction. Our
‘ zeal and unanimity in the resolutions we have
‘ already come to, will probably open the eyes of
‘ the court of *Spain*. If they have been blinded
‘ by the friends and partisans of those who have
‘ injured us: If they have been made to believe,
‘ as they certainly have, that the facts, as repre-
‘ sented by our merchants, were not true, and
‘ that few or no *British* ships have been seized,
‘ but such as had been concerned in some illicit
‘ trade; they will, from the resolutions we have
‘ come to, begin to doubt of what they have
‘ been told by their own people. This will make
‘ them enquire more strictly: Upon that enquiry
‘ they will find out the truth; and when they
‘ do, we have some reason to expect, they will
‘ agree to what we have proposed, rather than
‘ engage in a war, which, upon their side, even
‘ they themselves must conclude to be unjust.

‘ Thus, Sir, we may repair the honour of the
‘ nation, by obtaining a speedy and full satis-

‘ faction, and that in a peaceable way ; and while
‘ we have any hopes of being able to do so, we
‘ ought not to hurry ourselves into such measures,
‘ as may render it impossible. We must suppose,
‘ that other nations are as tender of their honour
‘ as we are : Those who have occasion to be
‘ often about the persons of Princes, know how
‘ jealous they are of their honour, and how apt
‘ they are even to misconstrue any thing that can,
‘ in the least, look like an indignity. This, Sir,
‘ will, in my opinion, be the case, if we should
‘ pass this bill into a law. The court of *Spain*
‘ will look upon it as an indignity put upon their
‘ crown. They will look upon it as a sort of
‘ challenge or defiance ; and they will then, of
‘ course, think it inconsistent with their honour
‘ to offer any satisfaction, or to agree to what
‘ they would perhaps have otherwise agreed to
‘ without hesitation. Even supposing they are
‘ now well inclined towards us, and fully resolved
‘ to give us the most solid satisfaction, as soon as
‘ they can be convinced of the justice of our
‘ complaints, and of the reasonableness of our de-
‘ mands ; yet if they should once begin to ima-
‘ gine, that the methods we take for obtaining
‘ redress, are of such a hectoring nature, as to
‘ make it inconsistent with their honour to com-
‘ ply with our demands, we cannot expect
‘ they will ever comply with them, unless they
‘ are, by the fate of war, forced to submit to
‘ any terms we may please to prescribe.

‘ But on the other hand, Sir, supposing they
‘ are now resolved not to do us all the justice we
‘ have a right to insist on, nor to come to any
‘ treaty with us upon equal terms, will our agree-
‘ ing to this bill any way contribute towards
‘ making them alter their resolution ? So far other-
‘ wise, Sir, that, in my opinion, it will contri-
‘ bute towards rendering them, not only more
‘ obstinate

‘ obstinate with respect to the demands we make
‘ upon them, but more unreasonable in the claims
‘ they have or may set up against us ; because it
‘ will attach their friends more closely to their in-
‘ terest, and prevent our friends from giving us
‘ any assistance. Nay, I do not know, but it
‘ may make some of our best friends join with
‘ them against us : I do not know, but it may
‘ unite the greatest part of *Europe* in a league
‘ against us ; and in that case, it would be out of
‘ our power to procure any reparation for what is
‘ passed, or any security in time to come, either
‘ by negotiation, or force of arms ; for even the
‘ most sanguine amongst us will not, I believe,
‘ pretend to say, that we are able to stand, single
‘ and alone, against the united force of *Europe*.
‘ That this may be the effect of our agreeing to
‘ the bill now before us, will, I think, appear
‘ evident to any gentleman, that considers the
‘ import and natural consequences of the very
‘ first clause of the bill ; which leads me of
‘ course to examine the several clauses particu-
‘ larly ; and this I shall do regularly, as they
‘ now stand in the bill.

‘ By the first clause, Sir, it is proposed to be
‘ enacted, That after a declaration of war, the
‘ property of all prizes shall be absolutely vested
‘ in the captors. Now, suppose a squadron of
‘ his Majesty’s men of war, or a squadron of
‘ armed vessels, fitted out by private men, or by
‘ a society, (suppose by the *Jews* of this king-
‘ dom) should, after a declaration of war, meet
‘ with and take one of the *Spanish* plate fleets re-
‘ turning to *Europe* ; by this clause, the whole
‘ property of that fleet, both ships and cargoes,
‘ would belong to the captors, without its being
‘ in our power to return one shilling’s worth to
‘ the first owners. After making this supposition,
‘ which is a very natural one, let us consider, Sir,
‘ that

‘ that the subjects of *Spain* have generally but
‘ a small share, seldom a fifth, sometimes not a
‘ tenth, of the money or effects on board any of
‘ those fleets: Even the merchant-ships them-
‘ selves, though built or purchased in the name
‘ of the *Spaniards*, are chiefly the property of
‘ other nations. Next, let us consider, that the
‘ foreigners concerned in those fleets, are princi-
‘ pally *French*, *Dutch*, or *British* subjects. As the
‘ law now stands, his Majesty could separate the
‘ property of his own subjects, and also the pro-
‘ perty of the subjects of those nations then at
‘ peace with us, from the property of the King
‘ and subjects of *Spain*; in order to confiscate the
‘ latter, as he might justly do by the laws of
‘ war, and to return the former, as he ought to
‘ do by the rules of equity and friendship: But
‘ if this bill should pass into a law, he could
‘ make no such separation, nor any such resti-
‘ tution.

‘ What the consequences of this would be, Sir,
‘ I tremble to think on. As to the *French*, they
‘ would certainly reclaim their property by force
‘ of arms. Nay, if this bill should pass into a
‘ law, they would immediately take the alarm,
‘ and might, perhaps, join in an alliance against
‘ us; and, if the *Dutch* did not take the same
‘ course, they would, at least, refuse to give us
‘ assistance, in a war, by which their subjects
‘ must be so great losers. The least fatal conse-
‘ quence we can apprehend, by passing this bill
‘ into a law, is, that the next *Spanish* plate fleet,
‘ and every such succeeding fleet, would be
‘ brought home under the convoy of a *French*
‘ squadron; and, if any squadron of his Ma-
‘ jesty’s men of war, or any squadron of ships of
‘ war, fitted out by private adventurers of this
‘ kingdom, which, by another clause in this bill,
‘ we could not prevent, should attack the *French*
‘ squadron,

‘ squadron, serving as convoy to the *Spanish* plate
‘ fleet, we must expect that *France* would imme-
‘ diately declare war against us. I have as good
‘ an opinion of the power of this nation, and of
‘ the bravery of our men, either by sea or land,
‘ as any man can have. I believe, we would be
‘ an overmatch for *Spain*; because, by the supe-
‘ riority of our fleet, we might do them infinite
‘ mischief, and at the same time prevent its being
‘ in their power to do us any great damage: But
‘ I cannot believe, that, without one ally to assist
‘ us, we could carry on a war both against *France*
‘ and *Spain*; especially, considering the diversion
‘ they might give us, by throwing the Pretender,
‘ with a few troops, into any part of *Britain* or
‘ *Ireland*.

‘ But suppose, Sir, that neither the *French* nor
‘ *Dutch* had any share in the *Spanish* plate fleets,
‘ yet, ’tis certain, our own subjects have always
‘ a very considerable share; and, I hope, I may
‘ be allowed to say a word in favour of our own
‘ merchants; I hope, I shall not gain any ill will,
‘ or popular resentment, by pleading the cause of
‘ our *Spanish* merchants, who have for many
‘ years returned, and who at this present time, I
‘ believe, do return, yearly, large sums in bullion
‘ and *Spanish* coin to their native country. As
‘ the law now stands, if any *Spanish* ship, in
‘ which they have a concern, should be taken af-
‘ ter a declaration of war, his Majesty could se-
‘ parate their share from the rest, and return it to
‘ them; but, if this bill passes into a law, they
‘ must be ruined; and for what? For being con-
‘ cerned in a trade, by which they acquire great
‘ riches to their country, as well as themselves;
‘ which, I think, would be a most extraordinary
‘ piece of injustice, as well as bad policy, unless
‘ we had given them timeous warning, not to be
‘ any farther concerned in that trade.

‘ I must likewise, Sir, upon this occasion,
‘ shew some regard to the *Dutch*, and especially,
‘ to our *British* insurers, which, I hope, some
‘ who hear me will not take amiss, notwithstanding
‘ the share they seem to have had in the
‘ drawing up of this bill. ’Tis well known, that
‘ most, if not all, of the ships that sail to and
‘ from the *Spanish* settlements in *America*, are in-
‘ sured either here or in *Holland*; and therefore,
‘ the seizing upon, and confiscating them, imme-
‘ diately after a declaration of war, would be
‘ a greater loss to our own people, or to the sub-
‘ jects of the States General, than to the subjects
‘ of *Spain*; and, it would be a loss they would
‘ be exposed to without any fault in them, and
‘ without its being possible for them to foresee or
‘ prevent it; for it is impossible for private men
‘ to have, it is impossible to give them, any pre-
‘ vious notice of a declaration of war. Nay, ac-
‘ cording to the modern practice, war is generally
‘ made before it is declared: Hostilities of some
‘ kind or other, are usually now made the first
‘ signal of a rupture.

‘ What I have said, Sir, will, I hope, suffi-
‘ ciently shew the danger and inconveniencies, that
‘ must ensue from our agreeing to the first clause
‘ of this bill; and, I can see no present necessity
‘ for our exposing ourselves to such dangers or in-
‘ conveniencies. ’Tis true, we had once such
‘ a law. I know, that, during the last four
‘ years of the late war, such a law was actually
‘ in force; and, I do not remember, that it was
‘ attended with any inconvenience, or accused of
‘ any injustice. This may, perhaps, have influ-
‘ ence upon some gentlemen, and therefore, I
‘ must beg leave to shew, that we are now in
‘ very different circumstances. When that law
‘ was passed, both the *Dutch* and we were in
‘ actual war with *France* as well as *Spain*, and
‘ had

‘ had been so for six years before ; therefore, we
‘ could not suppose, that either our own or the
‘ people of *Holland* had then the least property
‘ on board any *Spanish* ship ; and we had as good
‘ a right to seize and confiscate the effects of
‘ *French* subjects, as we had to seize and con-
‘ fiscate the effects of those of *Spain*. But the
‘ case is now very different : We are at no war
‘ with *France*, nor can probably be, unless we
‘ bring it upon ourselves, by agreeing to this bill ;
‘ and the *Dutch* may not be engaged in a war
‘ with *Spain*, when we are. To this I must add,
‘ that the law is now to begin to be in force at
‘ the very first commencement of the war, so
‘ that neither our own, nor the people of any
‘ other nation, can have time to withdraw their
‘ effects from the nation against which we declare
‘ war, nor are we to give them the least warning
‘ or notice, not to trust their effects on board the
‘ ships of that nation. We have, I grant, by
‘ the laws of war, a right to seize the ships of
‘ our enemies, and to confiscate to our own use,
‘ all the effects that are found on board ; but,
‘ we ought not to make a prey of our friends,
‘ and far less of our own people, till after they
‘ have had sufficient notice of the rupture. If
‘ we do, I must think, we do them a sort of in-
‘ justice ; and it is a sort of injustice, which could
‘ not be in the least complained of, when such a
‘ law as this was passed, during the late war ;
‘ because, that war had been carried on for six
‘ years, before we made any such law, and con-
‘ sequently, no man could say, he had not had
‘ sufficient notice of the rupture, and sufficient
‘ time to withdraw his effects from the countries
‘ we were then at war with. But in the present
‘ case, we are not, it seems, to give any man the
‘ least warning. Friend and foe, alien and free-
‘ born, are all to forfeit the goods and effects
‘ the

‘ the moment the war is declared, if they be
‘ found by us on board any of the enemy’s ships,
‘ or in any of the enemy’s dominions. This
‘ would be unjust upon the first breaking out of
‘ any war, but it is still more so in the case of
‘ a rupture with *Spain*; because of the long time
‘ that is necessary for a man’s getting his effects
‘ from their dominions, or from on board their
‘ ships; for I must observe, that goods are often
‘ loaded on board the *Spanish Galleons* or *Flota*,
‘ both in *Europe* and *America*, several months
‘ before their departure; and if they are loaded,
‘ or ordered to be loaded, in the *West-Indies*, it
‘ requires yet a much longer time for a merchant
‘ in *Europe*, to send counter orders to his corre-
‘ spondent in the *Spanish West-Indies*; so that the
‘ goods of our friends may be loaded, or ordered
‘ to be loaded, on board the *Galleons* in *New*
‘ *Spain*, before there is the least sign of a rupture
‘ between the two nations; and yet a war may
‘ be declared, nay, several months declared, be-
‘ fore those goods can be brought home or coun-
‘ termanded, which renders the confiscating of
‘ them the more inexcusable.

‘ I now come, Sir, to the next clause in the
‘ bill under our consideration, by which, a re-
‘ ward or gratuity of 5*l.* is to be given to every
‘ man concerned in the taking of any prize.
‘ This, Sir, I cannot find fault with; for in this
‘ age, I doubt much if we could find many that
‘ would be ready to venture their lives, for the
‘ sake of glory, and the love of their country
‘ only. Our seamen would, I believe, be as
‘ ready to do so, as any other set of men what-
‘ ever; but even with respect to them, I believe,
‘ that in such cases, it would be necessary to give
‘ them some certain prospect of advantage; and,
‘ I can think of no inconvenience such a regu-
‘ lation as this would be attended with, but a
‘ small

‘ small addition to the publick expence, which,
‘ I believe, would be fully recompensed by the
‘ advantage the publick would reap, from giving
‘ them such encouragement; therefore, if the
‘ honourable gentlemen will confine their bill to
‘ this clause only, I shall now promise them my
‘ concurrence.

‘ But as to the two other clauses, Sir, I am
‘ of a very different opinion. They would both,
‘ I think, be attended with great inconveniencies.
‘ In case of a war, it would, indeed, be proper
‘ to encourage private men to fit out privateers,
‘ and for that purpose to give commissions to
‘ most of those who should apply for them; but
‘ I am far from thinking it proper, to give pri-
‘ vate men a legal title to insist upon having such
‘ commissions, or to make it necessary for the ad-
‘ miralty to grant such commissions, to every pri-
‘ vate man that might please to apply for one.
‘ There might be private reasons for not granting
‘ commissions to some men, which could not be
‘ declared nor pleaded in a court of justice, as an
‘ excuse for not complying with what the law di-
‘ rects. From the experience we have had of
‘ the *Spanish Guarda Costa's*, we know how in-
‘ convenient it is, to grant commissions to private
‘ adventurers; for most of the irregularities, and,
‘ I believe, all the cruelties, that have been com-
‘ mitted by them, were committed by those
‘ *Guarda Costa's*, that had been fitted out by pri-
‘ vate men. The case would, in all likelihood, be
‘ the same if we should grant commissions indis-
‘ criminate to every man that pleased to apply
‘ for one: Some men might make use of those
‘ commissions for plundering our friends as well
‘ as our enemies: The commissioners of the ad-
‘ miralty might have good reasons for being con-
‘ vinced, that this was their design when they
‘ applied for them; and yet those reasons might
‘ be

‘ be such, as could not be proved to the conviction of a jury. Therefore, I think, we ought to leave the law in this case as it stands at present: We ought to leave a discretionary power in his Majesty, to grant or refuse such commissions, when or to whom he pleases.

‘ Then, Sir, as to the last of these two clauses, by which it is proposed to be enacted, That his Majesty may grant commissions or charters to any persons or societies, to seize upon, take, and enjoy as their own property, any lands, fortifications, or harbours, belonging to the enemy, I think it will not only be attended with many inconveniencies, but it will, in my opinion, be inconsistent with some of the treaties we are now engaged in. By the 8th article of the treaty of *Utrecht* between *Spain* and us, it is expressly stipulated.—“ That neither the Catholick King, nor any of his heirs or successors whatsoever, shall sell, yield, pawn, transfer, or by any means, or under any name, alienate from them and the crown of *Spain*, to the *French*, or to any other nation whatever, any lands, dominions, or territories, or any part thereof, belonging to *Spain* in *America*. On the contrary, that the *Spanish* dominions in the *West-Indies* may be preserved whole and entire, the Queen of *Great Britain* engages, that she will endeavour, and give assistance to the *Spaniards*, that the antient limits of their dominions in the *West-Indies* be restored, and settled as they stood in the time of the abovesaid Catholick King, *Charles II.* if it shall appear that they have in any manner, or under any pretence, been broken into, or lessened in any part, since the death of the aforesaid King *Charles II.*”—Which article is confirmed and enforced by the first separate article of the same treaty, in these words, —“ It is further agreed by this separate article, which
2 “ shall

“ shall be of the same force as if it was inserted
 “ word for word in the treaty this day concluded
 “ between their Royal Majesties, that since his
 “ Royal Catholick Majesty is stedfastly resolved,
 “ and does solemnly promise by these presents,
 “ that he will not consent to any further aliena-
 “ tion of countries, provinces, or lands of any
 “ sort, or wherever situate, belonging to the
 “ crown of *Spain*; her Royal Majesty of *Great*
 “ *Britain* does likewise reciprocally promise, that
 “ she will persist in those measures and councils,
 “ by which she has provided and taken care, that
 “ none of the parties in war shall require or ob-
 “ tain of his Catholick Majesty, that any further
 “ part of the *Spanish* monarchy be torn from it;
 “ but that any new demand of that kind being
 “ made, and the same refused by his Catholick
 “ Majesty, her Royal Majesty of *Great Britain*
 “ will use her endeavours, that such demands
 “ shall be receded from.”

‘ From these articles we may see, Sir, that not
 ‘ only the King of *Spain* is obliged, not to yield
 ‘ or transfer any part of his dominions in *America*
 ‘ to any nation whatever, but we are obliged to
 ‘ use our endeavours, that he shall not be forced
 ‘ to yield or transfer any part of them; and as the
 ‘ same stipulations were entered into at that time
 ‘ between him and the *Dutch*, the *Dutch* and we
 ‘ are a sort of guaranties mutually against each o-
 ‘ ther; so that we cannot attempt to make any
 ‘ conquests in the *Spanish West-Indies*, without
 ‘ breaking with the *Dutch*, no more than they can
 ‘ attempt to make, without breaking with us;
 ‘ and, I hope, it is not proposed that we should
 ‘ make any conquests in *Old Spain*.

‘ For this reason, Sir, if his Majesty should
 ‘ grant any such charters or commissions, as are
 ‘ intended by this clause, the very granting of
 ‘ such, might be look’d on by the *Dutch* as a

‘ breach of our engagements with them; and, as
‘ all the parties concerned in the treaty of *Utrecht*
‘ were respectively and mutually guaranties to one
‘ another, some others of them would look upon
‘ any such grant in the same light. But this is not
‘ all, Sir; the passing of such a law, would either
‘ lay his Majesty under a very great difficulty, or
‘ it might render it impossible for *Spain* and us,
‘ ever hereafter, to agree upon a solid and explicit
‘ treaty of peace; for, if his Majesty should, in
‘ pursuance of the law, grant such charters, and
‘ if, during the war, the people to whom such
‘ charters had been granted, should seize upon,
‘ and take possession of, any part of the *Spanish*
‘ dominions in *America*, this clause would render
‘ it impossible for his Majesty to restore, by any
‘ future treaty, the dominions so seized upon.
‘ Such a restitution could then be made only by
‘ act of Parliament, and by granting the proprie-
‘ tors an equivalent out of the publick revenue,
‘ according to the value they might put upon their
‘ property, which, upon such an occasion, they
‘ would value at a most exorbitant rate; so that,
‘ even by act of Parliament, it might be almost
‘ impossible to restore the dominions so seized;
‘ and the engagements the King of *Spain* lies un-
‘ der with the other powers of *Europe*, as I have
‘ before mentioned, would render it impossible for
‘ him to yield them to us in explicit terms. For
‘ this reason, though this clause should be passed
‘ into a law, we cannot suppose that his Majesty
‘ would grant any such commissions or charters;
‘ and, his refusing to grant any such, would raise
‘ a clamour against him, or at least against the then
‘ administration. It would be said, that they had
‘ refused to do that which would most effectually
‘ distress the enemy, and which would redound
‘ most to the advantage of this kingdom; that the
‘ ministers got great advantages by the continuance
‘ of

‘ of the war, and that therefore, they prevented
‘ our people’s taking those methods, which would
‘ certainly prove most effectual for bringing it to
‘ a happy and speedy conclusion. This I would
‘ advise some gentlemen, who seem to be favourers
‘ of this bill, to take particular notice of; for, they
‘ do not know what stations they may, at that
‘ time, be in: They may, for what they know,
‘ be laying a trap for their own undoing, or at
‘ least for perplexing their own administration;
‘ and, therefore, I hope, they will excuse me for
‘ offering them my advice upon this occasion,
‘ which, however they may take it, I can assure
‘ them is sincere.

‘ Having thus shewn the dangers and inconve-
‘ niencies we may be exposed to by passing this
‘ bill into a law, I must next observe, Sir, that
‘ there is not any one good end proposed by this
‘ bill, but what may be easily attained by the law,
‘ as it stands at present, except that of the 5*l.* re-
‘ ward to those that may be concerned in the ta-
‘ king of any prize; for, as to the end proposed
‘ by the first clause, we know, that all prizes taken
‘ from the enemy belong to his Majesty, and he
‘ may grant them, as an encouragement, to the
‘ captors. This has actually been the custom for
‘ many years, and in case of a war, his Majesty
‘ would certainly comply with this custom. What
‘ really belonged to the enemy, he would certainly
‘ grant to those concerned in taking the prize;
‘ which is all that in justice he could claim to him-
‘ self, and all that in justice can be given even by
‘ act of Parliament, before giving our friends a
‘ sufficient previous notice, as I have before obser-
‘ ved. This, I believe, would be a sufficient en-
‘ couragement for our seamen, and would be as
‘ effectual for making them enter into his Majesty’s
‘ service, or return to their native country, as if
‘ you did it by act of Parliament. They all know,

‘ that this is the custom; they with good reason
‘ expect, that his Majesty will follow this custom
‘ in any future war; and therefore, there is not
‘ the least occasion for giving them any title by
‘ law, to what they may be able to take from the
‘ enemies of their country. It would be a sort of
‘ disrespect to his Majesty to do so; because, it
‘ would shew a diffidence in his conduct. As to
‘ the granting commissions to private adventurers
‘ for fitting out privateers, we likewise know, that
‘ his Majesty may do it without any law for that
‘ purpose, and certainly would, at least, to all such
‘ as he could be assured would not make a bad use
‘ of them. And as to commissions for seizing up-
‘ on and appropriating any of the *Spanish* territo-
‘ ries in *America*, I have already shewn, that no
‘ such ought to be granted. It would be incon-
‘ sistent with the engagements we are under, it
‘ would be inconsistent with the hopes of peace,
‘ and farther, it would be inconsistent with pru-
‘ dence and good policy. We have already as
‘ many territories in *America* as we know well
‘ what to do with; and the seizing upon any of
‘ the *Spanish* territories, might excite the jealousy
‘ of the other powers of *Europe*, and make some
‘ of them join with *Spain*, in order to give a check
‘ to the increase of our power.

‘ I have now given my reasons for being against
‘ our agreeing to this bill: I think, Sir, they are
‘ of some weight; but, I shall be ready to alter
‘ my opinion, if I hear the objections I have made
‘ fully answered. It is for this purpose I have ex-
‘ plained them to you; and, I have the pleasure
‘ to think, that in this affair, I cannot be misled by
‘ any false prejudice or rash opinion of my own;
‘ for, if my objections can be answered, I am sure,
‘ some of the gentlemen, who seem to be friends
‘ to this bill, are able to do it; and, I do not in
‘ the least question their willingness. I am sensi-
‘ ble,

‘ ble, Sir, how unpopular it is to oppose the most
‘ violent measures that can be proposed at this
‘ juncture; but, I have always despised an affecta-
‘ tion of popularity that was inconsistent with the
‘ good of my country; and, I shall continue to do
‘ so, not only for the sake of my country, but also
‘ because I have, from my long experience in this
‘ house, learned to know, that the opposers of
‘ pernicious but popular schemes may live to re-
‘ ceive the thanks of their country for that very
‘ opposition. I am likewise sensible, Sir, how apt
‘ some people may be to blame me for opposing
‘ this bill: I know, that from the station in which
‘ I have the honour to serve his Majesty, some
‘ people will be apt to impute to my fear of a war,
‘ that which proceeds only from my regard to
‘ what I think the true interest of my country;
‘ for a notion has of late been industriously propa-
‘ gated, that the ministry are afraid of entering
‘ into a war, not for the sake of their country,
‘ but for their own. What pretence can be made
‘ use of for supporting this opinion, I am unable
‘ to comprehend; for, in this kingdom, it has al-
‘ ways been thought, and with reason too, that it
‘ is more easy to govern in time of war than in
‘ time of peace; and, I am sure, if a minister were
‘ conscious of his having been guilty of any mis-
‘ management, it would be his business to involve
‘ the nation in a war, in order to divert the atten-
‘ tion of the publick, and prevent an enquiry into
‘ his own conduct.

‘ If I had thrown aside all regard to the pub-
‘ lick, and proposed to act only from selfish poli-
‘ tical views, I know, I ought not to have said
‘ a word upon this occasion; because, whatever
‘ may be the success of our negotiations, what-
‘ ever may be the success of a war, in case we
‘ should engage in one, I could have said, I nei-
‘ ther advised the one nor the other; and might

‘ have pretended, that I could not be made ac-
‘ countable for what I never advised, or for what
‘ was resolved on contrary to my opinion. But
‘ this, Sir, I shall always look on as a mean sub-
‘ terfuge; for ministers are not only accountable
‘ for the counsels they give to their Sovereign,
‘ but are, while they continue ministers, account-
‘ able for his conduct; because they may, and
‘ ought to resign, if any measures are resolved
‘ on, which, they think, evidently tend to the
‘ ruin or disadvantage of their country. If any
‘ fault should be found, or an enquiry made into
‘ any of our late measures, I should willingly
‘ take upon me to answer for every step that has
‘ been made by the government, ever since I had
‘ the honour to have a share in the administra-
‘ tion; and while I continue in it, I shall always
‘ be ready to do the same. With what face then
‘ can it be supposed, that I could appear again
‘ in this house, if a proper and full satisfaction is
‘ not made us, before next session of Parliament,
‘ in a peaceable way, or the most proper and ef-
‘ fectual methods taken for obtaining it by force
‘ of arms?

‘ The popular cry is, I know, Sir, at present
‘ for war; and if satisfaction be not speedily ob-
‘ tained by peaceable means, I shall be as much
‘ for war as any man in the kingdom: But I
‘ would have those who now seem so fond of war
‘ consider, what an addition of taxes they must
‘ in that case be obliged to pay. When we now
‘ talk of a war, every man seems to be for it;
‘ but if we were to collect the taxes necessary for
‘ that purpose, I believe, most men would com-
‘ plain, most men would say they never advised
‘ it, and great pains would be taken by some, to
‘ convince the people that we had drawn them
‘ into an unnecessary war. Therefore, Sir, do
‘ t let us give the least pretence for any man to

‘ say

‘ say hereafter, that, by precipitate measures, we
‘ involved the nation in a war, which might o-
‘ therwise have been avoided; and as this would,
‘ I believe, be the effect of our agreeing to the
‘ bill now before us, I must be against it.’

The next speaker was *William Pulteney, Esq;*
who spoke in substance thus:

‘ Mr. Speaker,
‘ Sir, When this bill was first introduc’d, I Mr. Pulteney’s speech.
‘ could easily foresee the storm it would meet
‘ with in its passage through this house, from
‘ some grumbling half sentences uttered by the
‘ honourable gentleman that spoke last; for tho’
‘ the bill, at its first appearance, seemed to be
‘ approved of by every one but him, yet I knew
‘ the consequence of his seeming dislike to it,
‘ and we now see what an opposition has arisen
‘ from his single disapprobation; though I think,
‘ and I hope the majority of this house will think,
‘ there is no great weight in any of the objections
‘ he has been pleased to make to it; but before
‘ I consider his objections, I must beg leave to
‘ premise a few words, for explaining the design
‘ and intention of this bill. Two of the chief
‘ ends proposed by it, Sir, is, to revive the droop-
‘ ing spirits of our seamen; and to prevent a war,
‘ or rather to put an honourable and speedy end
‘ to a war that has been carried on for many years
‘ upon one side only. Our seamen, Sir, are a
‘ body of men so useful to the nation, and so
‘ necessary for carrying on our trade in time of
‘ peace, and for defending us against invasions in
‘ time of war, that I am sure they deserve, upon
‘ every occasion, all the regard and encourage-
‘ ment our government or legislature can give
‘ them; and yet it is certain, that by the treat-
‘ ment they have, for several years, met with at
‘ home,

‘ home, many of them have been forced into
 ‘ foreign service, and those who remain with us,
 ‘ are become more unwilling to serve their coun-
 ‘ try on board his Majesty’s navy, than they were
 ‘ ever known to be heretofore. These two fatal
 ‘ effects, we may justly suppose, are owing to the
 ‘ disappointments they have met with from the
 ‘ late extraordinary fluctuation, or uncertainty of
 ‘ our publick resolutions. Several formidable
 ‘ squadrons have, from time to time, been e-
 ‘ quipp’d at a vast expence to the nation, which
 ‘ no man could suppose were designed for a pa-
 ‘ rade only. From these our sailors conceived
 ‘ hopes, of having an opportunity to revenge the
 ‘ wrongs they had suffered, and to enrich them-
 ‘ selves by the plunder of those, who had insulted
 ‘ their country. But these squadrons, after mak-
 ‘ ing a parade upon our own coasts, or the coasts
 ‘ of our enemies, for a few months, have all been
 ‘ laid up, and the seamen dismissed, with nothing
 ‘ but their bare pay, most of which they had
 ‘ spent upon such idle expeditions; so that many
 ‘ of them had not enough left to pay the debts
 ‘ they had contracted for fitting themselves out,
 ‘ and were therefore forced to fly into foreign
 ‘ service, for fear of being thrown into a jail;
 ‘ and those who could stay at home, are, by the
 ‘ many disappointments they have met with, now
 ‘ at last induc’d to believe, they can never get
 ‘ any thing in his Majesty’s service, but only
 ‘ their bare pay, which is never so good as in the
 ‘ merchant service; for which reason they avoid,
 ‘ as much as they can, being obliged to serve in
 ‘ the navy.

‘ The design therefore of this bill is, to con-
 ‘ vince our seamen that we are now in earnest:
 ‘ That unless our enemies, or at least those who
 ‘ have plundered us, grant us immediate satis-
 ‘ faction, we are resolved upon revenging our-
 ‘ selves

‘ selves by force of arms: That this is the reso-
‘ lution of Parliament, which no minister dare
‘ endeavour to disappoint. From hence, Sir, our
‘ seamen will presume, they are not now to be
‘ made a show of, nor to be sent upon any mock
‘ expeditions. This will revive their hopes, and
‘ exhilarate their languishing spirits: It will make
‘ those who are abroad, return instantly to their
‘ native country, and will make them, as well as
‘ those who are at home, enter with alacrity into
‘ his Majesty’s service; by which means we shall
‘ be enabled, in case of a war, to dart like a
‘ thunder-bolt upon the enemy.

‘ This, Sir, is one of the chief ends of the
‘ bill now before us; and the other is, as I have
‘ said, to prevent a war, or rather to put a speedy
‘ and honourable end to the war, which *Spain*
‘ has for several years been carrying on against us.
‘ Hitherto they have had to do with our ministers
‘ only, and they seem to think they may nego-
‘ tiate with them as long as they please, and in
‘ the mean time seize and plunder as many of our
‘ ships as they can meet with. By the passing of
‘ this bill they will see, that they have now to do
‘ with the Parliament of *Great Britain*, that the
‘ whole nation is roused, and that it will be im-
‘ possible even for our ministers to stem the tor-
‘ rent of our resentment. They will see, that
‘ we are preparing to seize upon their wealth
‘ wherever we can find it, and to strip them
‘ of their most valuable possessions, if they do
‘ not give us immediate satisfaction. They know
‘ they cannot defend themselves against us, if we
‘ are really in earnest, and resolved to prosecute
‘ the war with vigour; therefore, as they cannot
‘ hope to amuse us any longer, they will find
‘ themselves under a necessity of complying im-
‘ mediately with our just demands. Thus it must
‘ appear, Sir, that if our ministers are endeavour-
‘ ing

‘ ing to obtain a safe and honourable peace, and
‘ resolved to accept of none other, we shall by
‘ this bill assist them in their endeavours, we shall
‘ strengthen their hands, and give weight to their
‘ negotiations; therefore, I am surprized to see
‘ it opposed by any gentleman, who has the
‘ honour of having a share in our administration.

‘ But I am still more surprized, when I hear
‘ the gentlemen who oppose this bill, making it
‘ their chief objection against it, that it will in-
‘ volve us in a war with *Spain*. Sir, I should
‘ be glad to know what they mean by a war;
‘ for if robbing, imprisoning, and torturing our
‘ subjects, are not hostilities, I do not know
‘ what to call them; I hope, the honourable
‘ gentleman will not say they are acts of peace
‘ and friendship! ’Tis true, the war has been
‘ hitherto on one side only: We have received
‘ many blows: We have as yet returned none.
‘ It is high time for us to begin to think of re-
‘ turning, what they have so liberally bestow’d;
‘ and when we do begin to return their favours,
‘ I hope we shall be able to pay them back with
‘ interest. Therefore, with respect to what we
‘ may suffer by a war, the honourable gentleman
‘ has no occasion to be solicitous about it: For if
‘ there were actually an open and declared war
‘ between the two nations: If we were giving
‘ blows as well as receiving, I do not believe our
‘ merchants would suffer more than they do at
‘ present; because they would then always be
‘ provided with proper convoys; and, I believe,
‘ they would have no reason to fear *Spanish Guar-*
‘ *da Costa’s*, when they are sailing under the con-
‘ voy of a *British* squadron. But if his fear pro-
‘ ceeds from what *Spain* may suffer by our going
‘ to war with them, I do not see how this bill
‘ can give him any uneasiness; for there is no
‘ clause in it for obliging his Majesty to declare
‘ war,

‘ war, or to begin hostilities against *Spain*: But
‘ if his Majesty should find himself under a ne-
‘ cessity to do so, I hope the honourable gentle-
‘ man will excuse our taking all proper methods,
‘ for enabling his Majesty to carry the war on
‘ with vigour, which is another of the chief ends
‘ proposed by the bill.

‘ The honourable gentleman, Sir, has told us,
‘ that we have already sufficiently testified our
‘ zeal for the honour of the nation, and our con-
‘ cern for the sufferings of our merchants; and
‘ that, what we have already done, will certainly
‘ open the eyes of the court of *Spain*, and make
‘ them see the justice of our demands. Sir, there
‘ might be some weight in this argument, if we
‘ had never before come to any resolutions, nor
‘ presented any address to his Majesty upon this
‘ subject; but, we have twice before done the
‘ very same thing, we have already done in this
‘ session: We have twice come to resolutions,
‘ and twice addressed his Majesty upon the same
‘ subject, and the last of them several years ago;
‘ yet, we find, the eyes of the court of *Spain*
‘ are as fast shut as they were at the beginning;
‘ therefore, we have no reason to expect they
‘ will be opened by what we have already done.
‘ That court seems to be so fast asleep with regard
‘ to its own interest, and so insensible of the inju-
‘ ries they have done us, that I am afraid we
‘ must give them a severe pinch, before we can
‘ make them open their eyes: If, without such a
‘ pinch, they can be opened, the passing of this
‘ bill will do it: If they cannot, the passing of
‘ this bill is the most proper method for putting
‘ ourselves in a condition to give them such a
‘ pinch as will be effectual.

‘ Now, Sir, with regard to the objections that
‘ have been made against this bill, I must observe,
‘ that they are such as militate either against the
‘ whole

‘ whole bill, or against some of the particular
‘ clauses. Against the whole bill it is objected,
‘ that it will be look’d on by *Spain* as a challenge
‘ or defiance, and will therefore make them think
‘ it inconsistent with their honour to grant us
‘ what they would, perhaps, have otherwise
‘ granted without hesitation. As to this, Sir, I
‘ must take notice, that we have already provided
‘ his Majesty with 10 or 12,000 seamen, more
‘ than would be necessary, if we were in no dan-
‘ ger of a war; now, I must leave to every gen-
‘ tleman to judge, which looks most like a defi-
‘ ance, our making such a provision for the sea
‘ service; or our passing such a bill as this now
‘ before us; for, I must think, that an actual
‘ provision for war is more like a challenge, than
‘ a conditional provision for the encouragement of
‘ our seamen in case of a war. Yet, no such ob-
‘ jection was made against our making such a pro-
‘ vision for the sea service; but, one may easily
‘ see the difference: By making that provision,
‘ we put a large sum of money into the hands of
‘ our ministers; by what is now proposed, we
‘ are to take out of their hands the money and
‘ riches which may, hereafter, be acquired by the
‘ courage and conduct of our seamen. This,
‘ Sir, is a material difference, and a good reason
‘ why our ministers should be angry with this last
‘ method of providing for a war, though they
‘ were well pleased with the first: But *Spain* can
‘ have no reason to be angry with either, nor can
‘ they look upon either as a defiance.

‘ Another objection against the whole bill is,
‘ Sir, that it will render *Spain* more obstinate
‘ with respect to our demands, and more unreason-
‘ able in the demands they make upon us, because
‘ it will attach their friends more closely to them,
‘ and prevent our friends from giving us any assis-
‘ tance: And how is this terrible effect to be brought
‘ about?

‘ about? Why, by our resolving to seize upon
‘ the ships of our enemies, and confiscate the
‘ effects we find on board such ships. Sir, I must
‘ say, we are brought to a low pass, if we dare
‘ not resolve to do what all nations do, and have
‘ a right to do, in time of war. Those who
‘ put their goods on board the ships of our ene-
‘ mies, deserve to have them seized and confis-
‘ cated, nor will any nation find fault with us for
‘ doing so. To pretend, Sir, that in case of a
‘ war with *Spain*, we must not seize upon the
‘ *Spanish* plate fleets, and confiscate the effects we
‘ find on board; because the *French* will declare
‘ war against us if we do; is an argument that
‘ will always hold good against our going to war
‘ with *Spain*, unless the *French* please to give us
‘ leave; for the seizing upon and confiscating the
‘ fleets and ships of *Spain*, is the only way by
‘ which we can carry on a war against them with
‘ advantage, and the only way by which we
‘ could force them to peace. If we were to re-
‘ store every thing the *French* could pretend be-
‘ longed to them, I am certain, that, in case of
‘ a war between *Spain* and us, no *Spaniard* would
‘ ever have a shilling’s worth on board any *Spanish*
‘ ship, nor the least property in any vessel that
‘ sailed under *Spanish* colours. If this, Sir, were
‘ to be admitted as a rule for our conduct, it
‘ would be impossible for us ever to carry on a
‘ war against *Spain*, or to bring any such war to
‘ a conclusion. We must continue to submit to
‘ all the injuries and insults they please to put
‘ upon us, without daring to resent any one of
‘ them, unless the *French* please to give us their
‘ permission.

‘ I hope, Sir, we have not yet negotiated our-
‘ selves into such a wretched condition. I hope
‘ we never shall. If the *French* should pretend
‘ to impose such hard terms upon us, we must
‘ resolve

‘ resolve to carry on a war, both against *France*
 ‘ and *Spain*. We have before done so with suc-
 ‘ cess, and, if we take right measures, we can
 ‘ never be long without a proper alliance for do-
 ‘ ing so again. This the *French* are sensible of,
 ‘ and, therefore, instead of joining with *Spain*,
 ‘ or supporting them against us, when they find
 ‘ we are in earnest, the share they have in the
 ‘ *Spanish* plate fleets, and the risk they will run
 ‘ of losing that share, will make them endeavour
 ‘ to prevail with *Spain* to do us justice. It will
 ‘ make them become sincere mediators between
 ‘ us; and, in that case our negotiations would
 ‘ soon end in an equal and honourable treaty.
 ‘ We cannot, therefore, suppose, that our agree-
 ‘ ing to this bill will attach the *French* more close-
 ‘ ly to the interest of *Spain*, than they are at pre-
 ‘ sent; and as for the *Dutch*, they are almost in
 ‘ the same circumstances with ourselves, and
 ‘ would probably join with us, if our late con-
 ‘ duct has not given them sentiments very diffe-
 ‘ rent from what they formerly entertained. A
 ‘ close alliance with this nation, they formerly
 ‘ thought one of the best measures they could
 ‘ take for their own preservation; and, if any
 ‘ part of our late conduct has made them alter
 ‘ their opinion, we ought to pass this bill, in
 ‘ order to make them return to their former way
 ‘ of thinking.

‘ I come now, Sir, to the particular objections
 ‘ that have been made against the several clauses
 ‘ of this bill. As to the first clause, I think, all the
 ‘ objections that have been, or can be made a-
 ‘ gainst it, are fully answered, by making this
 ‘ clause not to take place, till sixty days after the
 ‘ declaration of of war, which will be a sufficient
 ‘ time for every one to withdraw his effects from
 ‘ on board the ships of our enemies; and, if this
 ‘ should not be thought a time sufficient, we may
 ‘ grant

‘ grant a longer time : I believe, the gentlemen,
‘ who are friends to the bill, will agree to it, ra-
‘ ther than have a negative put upon such a ne-
‘ cessary bill. For this reason, I need not trouble
‘ you with answering the objections, that were
‘ made against this clause, either with respect to
‘ our own, or foreign merchants, who may have
‘ a concern in *Spanish* ships, or who may have
‘ granted any policies of insurance upon such
‘ ships ; but, I must observe, that as the cloud
‘ has been long hanging over their heads, as
‘ nothing but our patience and forbearance could
‘ have prevented this cloud from breaking long
‘ before this time, they have themselves only to
‘ blame, if they suffer by any reprisals we can
‘ make upon the *Spaniards*.

‘ I was glad, Sir, upon this occasion, to hear
‘ the honourable gentleman speak a word in fa-
‘ vour of our *Spanish* merchants, or any of our
‘ merchants : They deserve to be favoured by
‘ actions, as well as words ; but, if I am rightly
‘ informed, our *Spanish* merchants do not seem to
‘ be so much concerned for themselves, or so
‘ much afraid of a war with *Spain*, as he has ap-
‘ peared to be upon this occasion ; for I have
‘ been told, that a petition was drawn up against
‘ our resolving upon any violent measures with
‘ regard to *Spain*, and to serve as a counter-peti-
‘ tion to those, which were presented by our
‘ *West-India* merchants ; that this petition was
‘ presented to several *Spanish* merchants, in order
‘ to be signed by them, and great endea-
‘ vours, even menaces, made use of, for getting
‘ a number of hands to this petition ; but, with
‘ all the agents for this petition could do, they
‘ could not get above half a dozen to sign it, and
‘ those of no great consideration ; so that they
‘ were at last obliged to lay aside their design.

‘ The

‘ The clause for granting a reward to our sea-
‘ men concerned in taking prizes, I find, Sir,
‘ meets with no objection. The honourable gen-
‘ tleman himself, I find, thinks it necessary to
‘ grant some reward to our seamen, in order to
‘ encourage them to venture their lives in taking
‘ ships from the enemy ; and he will join, it
‘ seems, in granting them such a reward, pro-
‘ viding it be at our own expence, and not at that
‘ of the enemy.

‘ Then, as to the objection made against the
‘ third clause, I do not think, Sir, there is the
‘ least foundation for it. If the master of a ship,
‘ and his crew, have a mind to turn pirates, they
‘ may do so without any commission from his
‘ Majesty ; and if they have his Majesty’s com-
‘ mission in their pocket, they are as liable to be
‘ hanged for piracy, as if they had not. The
‘ laws against piracy, therefore, and a strict exe-
‘ cution of them, will always prevent any man’s
‘ making a bad use of his Majesty’s commission.
‘ It is to a failure, in this respect, that we must
‘ impute the piratical practices committed by the
‘ *Spanish Guarda Costa’s* upon us ; for if we had
‘ taken care to have had the captain and crew of
‘ the first of them, that began those practices,
‘ hanged as pirates, we should never have been
‘ troubled with any more such practices, nor
‘ should we now have been in any danger of a
‘ war. The discretionary power of the crown has,
‘ I find, for many years been a favourite and
‘ sacred point with some gentlemen, who former-
‘ ly thought, or pretended to think, otherwise.
‘ For my own part, I shall always be for con-
‘ fining it as much as possible ; for I generally
‘ find, it serves only to increase the power and
‘ the perquisites of under officers ; and as in this
‘ case, a discretionary power can be of no service,
‘ nor the abolishing it of any disadvantage, there-
‘ fore,

fore, no such power, I think, ought to be left in the crown.

Lastly, Sir, as to the 4th clause of the bill, we are told, that it would be a breach of the treaties subsisting between us, and the other powers of *Europe*: That the *Dutch*, as well as we, are guarantees to the King of *Spain*, for his keeping the entire possession of his territories in *America*: That his Catholick Majesty stands engaged to us, and likewise to some of the other powers of *Europe*, not to yield any of his territories in *America* to any power whatever; and, therefore, that his Majesty's granting a charter for seizing upon any of them, would make it impossible for *Spain* and us ever to conclude a peace; because we could not restore the territories so seized on, nor could the King of *Spain* yield them to us. Sir, we are engaged by no treaty, except that with *Spain*, not to seize upon any of their territories in *America*; and if an open war should break out between us, all former treaties between the two nations are then at an end. Then, as to the guarantee of the *Dutch*, or any other power in *Europe*, in case a war should break out between the *Spaniards* and us, upon the present occasion, they could have no right to call upon any of their guarantees for assistance; because they have brought the war upon themselves, by attacking us; for guarantees can only be called on, when the power guaranty'd is attack'd without a just cause: If it were otherwise, Sir, I believe, we would find it a little difficult to answer for some late conduct of our own. And as to the King of *Spain*'s engagement, not to yield up any part of his territories in *America*: If the fate of war should bring him under a necessity, he must comply with that necessity: But it is usual, in treaties, to leave the victors in possession, without any express cession from the vanquished.

‘ Therefore if we have a mind to force *Spain* to a
‘ peace, and to command our own terms, a treaty
‘ may easily be agreed on between us, without
‘ our being obliged to restore, what we got by
‘ conquest. Indeed, if we were to sue for, or buy
‘ a peace, we must accept of such terms, as we
‘ can obtain or purchase; in which case, we would
‘ certainly be obliged to restore whatever we had
‘ conquered; and then, I must grant, that our
‘ conquests being in the hands of private adventu-
‘ rers, and secured to them by act of Parliament,
‘ would be a little perplexing to our peace-makers:
‘ But, if we go to war, I hope it will end in our
‘ prescribing to, and not receiving or purchasing
‘ from, our enemies, the conditions of an accom-
‘ modation. The latter is a case which we ought
‘ not to provide for: On the contrary, we ought,
‘ if possible, to render it impracticable. It was the
‘ maxim of the *Romans*, never to sue for or pur-
‘ chase a peace: It was this maxim which made
‘ them the terror of all their neighbours, and at
‘ last made them masters of the world.

‘ I have now, Sir, answered all the objections I
‘ have heard made against this bill, or any clause
‘ it contains; and if I have answered them to the
‘ honourable gentleman’s satisfaction, I hope he
‘ will be as good as his word. But for his farther
‘ conviction, I shall now endeavour to shew, that
‘ the good ends proposed by this bill, cannot be
‘ any other way attained. In case of a war, his
‘ Majesty may, ’tis true, grant all prizes to the
‘ captors; but that he will do so, is so far from
‘ being known to our sailors, that from this day’s
‘ debate they must know, that he will not do so,
‘ if he follows the advice of those gentlemen that
‘ have opposed this bill. If his Majesty follows
‘ their advice, every *Spanish* ship that is taken,
‘ must be consigned to some prize office, there to
‘ remain till the *French*, *Dutch*, and other foreign
‘ friends,

‘ friends, as well as our own merchants and insu-
‘ rers, have made their several claims; and after
‘ all such claims are satisfied, the captors are, even
‘ by his Majesty’s grant, to have the residue only,
‘ paying the fees of the office, and the perquisites
‘ of the officers. By this method, can any officer
‘ or sailor expect to get any thing by the capture?
‘ No, Sir: The sailors can never expect to draw
‘ any thing out of such an office; and the com-
‘ mander of the ship that takes the prize, will ge-
‘ nerally be a loser. An honourable gentleman
‘ who has spoke in this debate, one who under-
‘ stands sea affairs as well, and one who always
‘ bore as much authority in his command, as any
‘ man can do, has told us, that upon taking a
‘ prize it is impossible to keep the seamen from
‘ plundering, and that by their plundering, more
‘ than a fifth part of the cargo may be embez-
‘ zled: Then, if we suppose, as has been granted,
‘ that the *Spaniards* have seldom a fifth part pro-
‘ perty in their own ships, we must suppose, that
‘ no *Spanish* prize will ever be sufficient to answer
‘ the claims that will be made upon it; and as the
‘ deficiency will always be occasioned by the em-
‘ bezzlement of the sailors on board the ship that
‘ took the prize, their commanding officer must
‘ answer for this deficiency out of his private for-
‘ tune; so that the commanding officer of every
‘ *British* ship that takes a *Spanish* prize, will be
‘ brought in debtor, as the same honourable gen-
‘ tleman has told us was once his own case. This,
‘ Sir, is the true state of the case, as it will stand
‘ if this bill should be rejected; and if this be the
‘ true state of the case, can we suppose that any
‘ commander of a *British* man of war, or other
‘ armed vessel, will ever take a *Spanish* ship? No,
‘ Sir: We must expect, they will fly from them;
‘ not for fear of being taken, but for fear they
‘ should be obliged to take.

‘ Thus I could easily shew, Sir, that none of
‘ the good ends proposed by this bill can be an-
‘ swered by any other method; but, what I have
‘ already said upon this head, shews the politicks
‘ of those who oppose the bill in such a ridiculous
‘ light, that, I am convinced, no man will be a-
‘ gainst it, unless he thinks that we ought to ac-
‘ cept of any sort of treaty rather than declare war
‘ against *Spain*. Therefore, if the bill is not agreed
‘ to, I shall take it as a prognostick of peace: I
‘ shall take it as a certain sign of our being resolved
‘ not to declare war; but, as I cannot approve of
‘ such a resolution, I must, before I have done,
‘ put you in mind of what the nation has suffered.
‘ By the treatment our merchant ships have met
‘ with, the *British* flag has been dishonoured, the
‘ *British* nation insulted. The *British* flag, Sir,
‘ which formerly claimed, and asserted, the domi-
‘ nion of the seas, and was a protection for our
‘ merchants in the most distant corners of the oce-
‘ an, is now become a trap for their destruction.
‘ Our seamen have been imprisoned, tortured, nay,
‘ it has been proved at our bar, that a commander
‘ of one of our merchant-men, had his ear torn
‘ off in a contemptuous manner, and that this
‘ barbarity was accompanied with such expressions,
‘ expressions which I dare not mention, but they
‘ were such as put the highest indignity upon our
‘ Sovereign. These injuries, these insults we have
‘ suffered, hitherto tamely suffered, and from
‘ whom? From a people to whom this nation has
‘ always, till of late years, been a terror. What
‘ approbation they have met with from the court
‘ of *Spain*, I do not pretend to know, but I must
‘ observe, that our merchants and sea commanders
‘ have been most infamously treated even by their
‘ courts of justice. It has been proved at our bar,
‘ that when a *British* ship is taken and brought in
‘ by any of their *Guarda Costa*’s, under pretence
‘ of

‘ of illicit trade, the first thing that is done, is to
‘ clap the master and crew up in close prison, and
‘ to rob them of their sea letters, and all other pa-
‘ pers, from which they could make their inno-
‘ cence appear: Then a *Spaniard* is set up by the
‘ *Spanish* governor, as agent for the owners, and
‘ he, being thus constituted the defendant in the
‘ suit, without ever consulting with the master or
‘ the crew, makes a sham defence, or rather a flat
‘ confession of guilt, whereupon the ship and cargo
‘ are condemned as lawful prize. Whether the
‘ ministers of *Spain* are ignorant of the practice, I
‘ do not know, but our ministers are not, as ap-
‘ pears from the last memorial sent by them to the
‘ court of *Spain*. And I must farther observe, Sir,
‘ that, though the court of *Spain* have been made
‘ so sensible of the injustice of some of the seizures
‘ that have been made, that they have given or-
‘ ders for restitution, yet none of these orders have
‘ been yet fully complied with, nor have any of
‘ the offenders been punished: On the contrary,
‘ if I am rightly informed, they have been reward-
‘ ed, which, in my opinion, looks so much like
‘ an approbation, that if we had as much regard
‘ to our own honour, as we seem to have to the
‘ honour of *Spain*, we would disdain to sue any
‘ longer for peace, or satisfaction in a peaceable
‘ way.

‘ Let us consider these things, Sir, and then let
‘ us determine, whether we ought to be so much
‘ afraid of provoking, or giving offence to the
‘ court of *Spain*, as to refuse passing a bill which
‘ is so necessary, which this very debate has made
‘ necessary, for encouraging the seamen we have
‘ at home, as well as for inviting home those who
‘ are now in foreign service. We may, Sir, pro-
‘ cure some sort of treaty before next session of
‘ Parliament, but if we shew ourselves so much
‘ afraid of a war as to reject this bill, I am afraid,

‘ it will be such a one as will entail contempt upon
 ‘ this generation, and involve the next in difficul-
 ‘ ties which they will find insurmountable, by any
 ‘ other method but that which we now seem so
 ‘ much afraid of. What the honourable gentle-
 ‘ man may mean by a proper and full satisfaction,
 ‘ I do not know, but, though it be not obtained,
 ‘ nor any proper methods used for obtaining it,
 ‘ before next session of Parliament, I hope we shall
 ‘ have the pleasure of seeing him appear here with
 ‘ the same face as usual. However, I must desire
 ‘ him to remember the maxim he himself has laid
 ‘ down; it is a just maxim, a maxim which ought
 ‘ always to be observed by this house, when we
 ‘ call any minister to an account: If he remembers
 ‘ this maxim, and acts accordingly, we may, per-
 ‘ haps, once more, see him appear in this house,
 ‘ as a country gentleman. Or, if he does not, we
 ‘ may probably see some others appear in that
 ‘ character, who now appear in a very different.
 ‘ This, I say, may happen to be the case, if all
 ‘ those who have the honour to have a share in
 ‘ our administration, observe the maxim which he
 ‘ has so justly and so properly established.

‘ I shall conclude, Sir, with taking some notice
 ‘ of a doctrine, which may prevail with some gen-
 ‘ tlemen to be a little too cautious of doing any
 ‘ thing that may offend the court of *Spain*. In
 ‘ all our debates upon this subject, our trade with
 ‘ that nation has been, by some gentlemen, set in
 ‘ such a light, as if we could not subsist without it.
 ‘ I shall grant, it is a trade which may still be of
 ‘ some advantage to us, if our merchants can carry
 ‘ it on with security; but, it is not of so great an
 ‘ advantage, I believe, as it was formerly. It is a
 ‘ trade we may be without. Queen *Elizabeth*
 ‘ thought so: *Oliver Cromwell* thought so: Nei-
 ‘ ther of them made the least difficulty of declaring
 ‘ war against *Spain*, when they thought they had
 ‘ reason

‘ reason for doing so : Neither of them ever sued
‘ for peace ; both left us at their deaths, engaged
‘ in a war with that nation. And but lately, we
‘ carried on one of the most glorious wars we
‘ were ever engaged in, a war in which that na-
‘ tion was a party against us, and during which,
‘ even we ourselves prohibited all trade and inter-
‘ course with *Spain*. Besides, if we allow our-
‘ selves to fall into contempt, our merchants can-
‘ not expect common justice in their dealings in
‘ that country, or any other country, nor secu-
‘ rity in any part of the world ; which will soon
‘ put an end to our trade, not only with *Spain*,
‘ but with all foreign countries. For these rea-
‘ sons, Sir, whatever may be the interest of mi-
‘ nisters, it is not the interest of the nation to be
‘ too much afraid of a war with *Spain* ; and,
‘ I must observe, Sir, that though it may be
‘ easier to govern this nation in time of war,
‘ than in time of peace ; yet ministers may some-
‘ times have particular reasons for being afraid of
‘ a war : By the breaking out of a war, secrets
‘ may be brought to light, which would prove
‘ the certain overthrow of those ministers that
‘ had been concerned in them ; but as none of
‘ our ministers can have such particular reasons
‘ for being afraid of a war, I therefore hope,
‘ they will give us their concurrence in the passing
‘ of this bill.’

Upon putting the question, That the bill do pass, it was carried in the negative, 106 noes, to 75 yeas.

Saturday the 20th of *May*, his Majesty came to the house of Peers, and the Commons being sent for, gave his Royal Assent to the several publick and private bills that were ready. After

which he made the following most gracious speech to both houses :

His Majesty's speech
at the end of
the session.

My Lords and Gentlemen,

IT is with great satisfaction I observe, that the temper and moderation, which I recommended to you at the opening of this session, have been so well preserved through the general course of your proceedings ; and that, from a due regard to me, and my honour, you have avoided all unnecessary occasions of heats, and animosities, and made the interest of your country the principal object of your care and consideration.

Gentlemen of the house of Commons,

I return you my thanks for the supplies which you have so chearfully and effectually raised for the service of the current year : The provision you have made to answer all emergencies, which may become necessary in vindication of the honour and interest of my crown and people, is a great proof of your zeal and concern for the welfare and prosperity of the nation ; and shall be employed by me in such a manner, as may best conduce to those ends and purposes, for which you have so readily consented to this extraordinary expence.

My Lords and Gentlemen,

Agreeably to what hath appeared to be the concurrent opinion of both houses of Parliament, I have given orders to repeat, in the strongest and most pressing manner, my instances at the court of *Spain*, for obtaining satisfaction for the many injuries and losses sustained by my trading subjects in *America*, as well as an effectual security of their rights for the future ; and I hope from the justice and equity of the

Catho

‘ Catholick King to procure such satisfaction and
 ‘ security, as may preserve the peace, and esta-
 ‘ blish a free and uninterrupted exercise of navi-
 ‘ gation and commerce, mutually between the
 ‘ subjects of both crowns, pursuant to our trea-
 ‘ ties, and the law of nations.’

And afterwards my Lord Chancellor, by his Majesty’s command, said,

‘ *My Lords and Gentlemen,*

‘ It is his Majesty’s royal will and pleasure, Parliament
 ‘ that this Parliament be prorogued to *Thursday* prorogued.
 ‘ the 27th day of *July* next, to be then here
 ‘ held; and this Parliament is accordingly pro-
 ‘ rogued to *Thursday* the 27th day of *July* next.’

*The fifth session of the fourth Septennial Par-
 liament.*

THIS session of Parliament was appointed, Parliament
 by his Majesty’s proclamation, to meet meets.
 on the 18th of *January* 173^d, for the
 dispatch of divers weighty affairs; and accord-
 ingly both houses assembled at *Westminster* on that
 day; but the ratification of the convention lately
 concluded with *Spain* not being arrived, the Par-
 liament was farther prorogued to *Thursday* the 1st
 of *February*, when his Majesty came to the house
 of Lords, and opened the session with the follow-
 ing most gracious speech from the throne.

‘ *My Lords and Gentlemen,*

‘ **I** HAVE, upon all occasions, declared, how sen- His Maje-
 ‘ sibly I have been affected with the many hard- sty’s speech.
 ‘ ships and injuries sustained by my trading subjects
 ‘ in *America*. I have the honour of my crown,
 ‘ and

‘ and the true interest of my people too much at
‘ heart, to see either of them suffer any prejudice
‘ or diminution, without pursuing the most pro-
‘ per and advantageous methods for their real se-
‘ curity and preservation.

‘ These considerations alone were sufficient to
‘ incite me to exert my utmost power, in vindi-
‘ cating and protecting our undoubted rights and
‘ privileges of navigation and commerce; and
‘ nothing could add to my own zeal in so just
‘ a cause, but the due regard I always have to the
‘ petitions and complaints of my subjects, and
‘ the advice of my Parliament. The wisdom
‘ and prudence of your resolutions, upon this
‘ great and national concern, determined me to
‘ begin with the more moderate measures, and to
‘ try, once more, what effect and influence my
‘ friendly endeavours, and pressing instances would
‘ have upon the court of *Spain*, towards obtain-
‘ ing that satisfaction and security, which we were
‘ intitled to demand and expect; and your assu-
‘ rances to support me in all events, enabled
‘ me to proceed with proper weight and au-
‘ thority.

‘ Thus supported by the concurrent advice of
‘ both houses of Parliament, I lost no time in
‘ making preparations to do myself, and my peo-
‘ ple justice, if the conduct of the court of *Spain*
‘ had laid us under that necessity; and at the
‘ same time I did, in the strongest manner, repeat
‘ my instances for obtaining such justice and repa-
‘ ration for the many injuries and losses already
‘ sustained, and such an effectual security for the
‘ future, as might prevent the consequences of an
‘ open rupture.

‘ It is now a great satisfaction to me, that
‘ I am able to acquaint you, that the measures
‘ I have pursued, have had so good an effect,
‘ that a convention is concluded, and ratified be-
‘ tween

‘ tween me and the King of *Spain* ; whereby,
‘ upon consideration had of the demands on both
‘ sides, that Prince hath obliged himself to make
‘ reparation to my subjects for their losses, by
‘ a certain stipulated payment ; and plenipoten-
‘ tiaries are therein named and appointed, for regu-
‘ lating, within a limited time, all those grievances
‘ and abuses, which have hitherto interrupted our
‘ commerce and navigation in the *American* seas ;
‘ and for settling all matters in dispute, in such a
‘ manner, as may, for the future, prevent, and
‘ remove all new causes and pretences of com-
‘ plaint, by a strict observance of our mutual trea-
‘ ties, and a just regard to the rights and privile-
‘ ges belonging to each other. I will order the
‘ convention, and the separate articles to be laid
‘ before you.

‘ It hath been my principal care, to make
‘ use of the confidence you reposed in me in
‘ this critical and doubtful conjuncture, with no
‘ other view, but the general and lasting benefit
‘ of my kingdoms ; and if all the ends, which
‘ are to be hoped for, even from successful arms,
‘ can be attained, without plunging the nation
‘ into a war, it must be thought, by all reasona-
‘ ble and unprejudiced persons, the most desirable
‘ event.

‘ *Gentlemen of the house of Commons,*

‘ I have ordered the proper estimates to be pre-
‘ pared, and laid before you, for the service of
‘ the current year. I heartily wish, that the
‘ posture of affairs would have permitted me to
‘ retrench the publick expences, for which I am
‘ obliged to demand the present supplies : And
‘ I make no doubt, but your experienced zeal and
‘ affection for me and my government, and the
‘ proper concern you have always shewn for the
‘ publick good, will induce you to grant me such
‘ supplies,

‘ supplies, as you shall find necessary for the
 ‘ honour and security of me and my kingdoms.

‘ *My Lords and Gentlemen,*

‘ I cannot but earnestly recommend it to you,
 ‘ not to suffer any prejudices or animosities to
 ‘ have a share in your deliberations at this impor-
 ‘ tant conjuncture, which seems, in a particular
 ‘ manner, to call upon you to unite in carrying
 ‘ on such measures, as will be most conducive to
 ‘ the true interest and advantage of my people.’

Motion in
 the house of
 Lords for an
 address.

This speech being immediately taken into con-
 sideration in the house of Lords, the Duke of
Portland stood up and moved the house to re-
 solve :

‘ 1. That an humble address should be pre-
 ‘ sented by this house to his Majesty, to return
 ‘ his Majesty our humble thanks for his most gra-
 ‘ cious speech from the throne.

‘ 2. To declare, that amongst the many con-
 ‘ vincing proofs, which his Majesty has given of
 ‘ his paternal and unwearied care of the rights of
 ‘ his people, nothing can fill our hearts with
 ‘ more grateful sentiments, than that sincere and
 ‘ affectionate concern, which he has so often de-
 ‘ clared, for the many hardships and injuries
 ‘ sustained by his trading subjects in *America*.
 ‘ That the honour of his Majesty’s crown, and
 ‘ the true interest of his people are, and ever will
 ‘ be, inseparable ; and that as his Majesty has,
 ‘ on all occasions, demonstrated to the world,
 ‘ that he has both equally at heart, it was impos-
 ‘ sible for us, not to have the firmest dependence
 ‘ on his zeal and vigilance, for their real security
 ‘ and preservation.

‘ 3. To declare, that the gracious regard which
 ‘ his Majesty is pleased to express, for the resolu-
 ‘ tions and advice of his Parliament, is a great in-
 ‘ stance

‘ stance of his royal goodness: And that though
‘ his Majesty’s constant desire, out of tenderness
‘ to his people, to avoid involving these kingdoms
‘ in the manifold inconveniencies of war, must
‘ have inclined him to approve the beginning
‘ with more moderate measures; yet we never
‘ entertained the least doubt, but that the true
‘ greatness and fortitude, which inspired his royal
‘ breast, would have induced him to exert his ut-
‘ most power, in vindicating and protecting our
‘ undoubted privileges of navigation and com-
‘ merce; and in doing justice to himself and his
‘ subjects, if the conduct of the court of *Spain*
‘ had made such measures necessary.

‘ 4. To beg leave, on this occasion, to offer
‘ to his Majesty our unfeigned thanks for his great
‘ goodness and condescension, in acquainting us
‘ from the throne, that a convention was con-
‘ cluded and ratified, between his Majesty and
‘ the King of *Spain*, whereby reparation was
‘ agreed to be made to his subjects for their losses,
‘ by a certain stipulated payment; that plenipo-
‘ tentiaries were appointed for regulating, within
‘ a limited time, all those grievances and abuses
‘ which had hitherto interrupted our commerce
‘ and navigation in the *American* seas; and that
‘ his Majesty would order the convention and se-
‘ parate articles to be laid before us.

‘ 5. To declare, that we should fall short of
‘ those warm impressions of gratitude, which we
‘ feel in ourselves, as well as be wanting in our
‘ duty, if we did not return his Majesty our most
‘ thankful acknowledgments for his royal care, in
‘ making use of the confidence reposed in him,
‘ with no other view, but the general and lasting
‘ benefit of his kingdoms. That reparation for
‘ past injuries and losses, and effectual security for
‘ the future, founded in justice, and warranted
‘ by treaties, had been the great views of his Ma-
‘ jesty,

‘ jesty, and his Parliament, in that national and
 ‘ important affair; and if those purposes could be
 ‘ attained, without plunging the nation into a
 ‘ war, it must give the truest satisfaction to all his
 ‘ faithful subjects, who could not but be as
 ‘ desirous to preserve the peace, as they were able
 ‘ and ready to defend and vindicate their rights,
 ‘ against the incroachments of all aggressors.

‘ 6. And lastly, to declare, that we are deeply
 ‘ sensible, how unbecoming and pernicious it
 ‘ would be, at any time, to suffer either prejudices
 ‘ or animosities to mix themselves with parliamen-
 ‘ tary deliberations; and that his Majesty’s gracious
 ‘ recommendation to us, particularly to avoid them
 ‘ at this important conjuncture, cannot fail to awa-
 ‘ ken in us a more than ordinary caution on that
 ‘ head. That *Great Britain* hath but one common
 ‘ interest, consisting in the security of his Majesty’s
 ‘ person and government, and the welfare and
 ‘ happiness of his people; and that when his Ma-
 ‘ jesty is pleased to exhort us to unanimity, it is
 ‘ only calling upon us to unite for our own prefer-
 ‘ vation; therefore, to beseech his Majesty, to ac-
 ‘ cept the strongest and most affectionate assurances,
 ‘ that we will zealously and chearfully concur in
 ‘ all such measures, as shall be most conducive to
 ‘ those great and desirable ends.’

Amendment
to the mo-
tion.

This motion was seconded by the Lord *Hobart*; and then the Lord *Gower* stood up and moved by way of amendment to the Duke’s motion, That the whole of it, except the first and last paragraphs should be left out, and a few words added for expressing their affection and duty to his Majesty in general terms, as was formerly the custom upon such occasions.

Debate upon
it.

Upon this amendment there was a long debate, which we shall first give in general by way of argument and answer, and then we shall give some of the particular speeches made upon this occasion.

The

The argument in favour of the amendment was in effect thus.

‘ My Lords,

‘ In antient times, and I may even say, till of ^{Argument} late years, the addressees of this house, by way of ^{in favour of} it.
 ‘ return to the King’s speech from the throne, consisted but of a very few sentences. They contained only our thanks to his Majesty for his most gracious speech from the throne, and a general acknowledgment of our affection and duty; but that method has been entirely altered since the Revolution, and we have now fallen into a way of echoing back the speech from the throne, paragraph by paragraph, I may almost say, word for word. This modern method I have always thought inconsistent with the dignity of this house. In my opinion, it looks more like the fulsome address of the states of a province in *France*, to their absolute and arbitrary monarch, than like the address of either house of a free and independent *British* Parliament. And for this reason, I cannot but wish, that your Lordships would return to your antient method, which I am sure is more consistent with your dignity, and which can neither upon the present occasion, nor upon any future, be attended with the least bad consequence.

‘ The modern method has, ’tis true, my Lords, been practised for several years: The speech from the throne has for too many sessions, been punctually echoed back from the house in every particular circumstance; and great compliments have generally of late years been made to the King, upon the measures pursued by the administration; but if this be a bad custom, it can from no time derive a right to our future approbation; and that it is so, must, I think, appear at first view,
 ‘ to

‘ to every one that considers it in its proper light ;
‘ for from the nature of our government, it is im-
‘ possible for the majority of this house, to have,
‘ at the very beginning of a session, any proper
‘ knowledge of what has been lately transacted ;
‘ we can have no such knowledge, till it has been
‘ communicated to us by the crown, and delibe-
‘ rately examined by every Lord that is present,
‘ which cannot possibly be done the very first day
‘ of the session ; therefore, when in our address of
‘ thanks for his Majesty’s speech from the throne,
‘ we say any thing that may look like an encomi-
‘ um upon what has been lately transacted, our
‘ compliments cannot so much as be supposed to
‘ signify any thing : Nay, it is always allowed,
‘ even by those that propose them, that they are
‘ not meant to signify any thing ; which, in my
‘ opinion, is a tacit acknowledgment that no such
‘ compliments ought to be made ; for in private
‘ life, to make such compliments, is no argument
‘ either of the sincerity of him that makes them,
‘ or of his respect for the person to whom they
‘ are made ; and if we should afterwards, upon
‘ an enquiry, censure those measures we had before
‘ in our address approved, or but seemed to ap-
‘ prove, I am sure it would be no argument for
‘ shewing the consistency of our proceedings.
‘ Therefore, if we have a due regard to the digni-
‘ ty of this house, we ought to avoid entering into
‘ any particulars, or making use of any expressions
‘ in our address, that may seem to approve of
‘ measures, which we may, perhaps in the same
‘ session, find good reason to censure.

‘ This caution, my Lords, is, I think, necessary
‘ at all times ; but upon the present occasion, I
‘ think it is more necessary than it ever was upon
‘ any former ; for we have had nothing yet laid
‘ before us, that can give us the least glimpse of
‘ light, into the measures which the address now
‘ proposed

‘ proposed seems to approve of. We cannot pre-
‘ tend to have the least parliamentary knowledge
‘ of our late transactions; and, I believe, there are
‘ but few, very few of your Lordships, that can
‘ in any capacity pretend to a thorough knowledge
‘ of them. We must therefore now judge by
‘ appearances only; and if we judge from what is
‘ publickly known, I cannot think we have from
‘ thence, any great reason to run out in encomi-
‘ ums upon our late management. It is publickly
‘ known, not only in this kingdom, but through
‘ all *Europe*, which I am sorry to say, that the
‘ nation has for some years been insulted, our ne-
‘ gotiators trifled with, and our fellow subjects not
‘ only plundered, but barbarously used; and can
‘ any of your Lordships pretend to say, from any
‘ thing that has been laid before you, or from
‘ what has been communicated by our publick
‘ *Gazettes*, that proper measures have been taken
‘ for vindicating the honour, repairing the losses,
‘ or securing the trade of the nation? These great
‘ ends may, for what I know, be all fully answer-
‘ ed by the convention, which, as his Majesty has
‘ told us, has been lately concluded between him
‘ and the crown of *Spain*: I hope they will ap-
‘ pear so, when that treaty, or rather preliminary,
‘ comes to be laid before us. I hope proper care
‘ has been taken by that convention, to have con-
‘ dign punishment inflicted upon such of the sub-
‘ jects of *Spain*, as have plundered or abused the
‘ subjects of this nation, contrary to the faith of
‘ former treaties; for without such punishment, I
‘ will be bold to say, that no reparation can be
‘ made for our injured honour, nor any security
‘ given for our future safety. I hope the stipula-
‘ ted payment, as it is called, will appear to be
‘ sufficient for answering fully the losses of our
‘ plundered merchants and seamen; and, I hope,
‘ there is a feasible plan laid down for having all

‘ our rights acknowledged by a definitive treaty,
‘ or at least such of them as have been lately con-
‘ tested. These things, I say, my Lords, I hope,
‘ are all fully provided for by the costly conven-
‘ tion, which we are soon to have the pleasure of
‘ having laid before us; but as I yet know no-
‘ thing of that convention, and I believe most of
‘ your Lordships know as little of it as I do, I
‘ cannot, even in the most general terms, approve
‘ of our having tamely submitted to so many in-
‘ juries, for the sake of obtaining a thing called a
‘ convention, before I know what it is.

‘ As speeches from the throne, my Lords, are
‘ always considered in this house as speeches from
‘ the minister, so I cannot but look upon the ad-
‘ dresses made in return to those speeches, as ad-
‘ dresses, in some measure, made to the minister;
‘ and, when such an address contains an approba-
‘ tion of what has been done, though couched in
‘ the most general terms, I shall always look upon
‘ it as an approbation of the conduct of the admi-
‘ nistration. In this light, I must consider the ad-
‘ dress now proposed, and therefore, I shall treat
‘ it with the more freedom; because, in this light,
‘ his Majesty can be no way concerned, nor can
‘ his sacred character be in the least affected, by
‘ any thing I can say against our late publick
‘ transactions.

‘ Suppose then, my Lords, that the word mi-
‘ nister, or ministers, were properly inserted in all
‘ those parts of the address, which seem to con-
‘ tain an approbation of our late conduct: Suppose
‘ we were to say, *That amongst the many convincing*
‘ *proofs, which your Majesty’s ministers have given*
‘ *of their unwearied care of the rights of your people:*
‘ Would any of your Lordships agree to make
‘ such a compliment, till some of those convincing
‘ proofs had been laid before you? Or can we say,
‘ that we have the firmest dependence on their
‘ zeal

‘ zeal and vigilance, for the security and preserva-
‘ tion of those rights, which have been of late so
‘ often invaded by *Spain*, before we have seen
‘ what care they have taken of them, by this last
‘ convention? When we consider what insults the
‘ nation has of late met with, and how long, how
‘ patiently, those insults have been submitted to,
‘ can we make any compliments to our ministers
‘ upon their fortitude, till it appears from their
‘ negotiations, and from the issue of those negoti-
‘ ations, that their courage has been restrained by
‘ their prudence and fore-sight? For, I am sure,
‘ if full satisfaction is not stipulated by the con-
‘ vention they have accepted, we may applaud
‘ their fortitude in patiently suffering insults and
‘ indignities, but we can say nothing of their for-
‘ titude in vindicating and protecting our undoubt-
‘ ed privileges of navigation and commerce. Re-
‘ paration for past injuries and losses, and effectual
‘ security for the future, are what this nation
‘ ought, what we must insist on: But, can we say,
‘ that these have been the great views of our mi-
‘ nisters, before we know a word of the conven-
‘ tion, by which that reparation and security ought
‘ to have been stipulated? I hope, my Lords,
‘ when the convention comes to be laid before us,
‘ it will from thence appear, that they well deserve
‘ all these compliments; but, till we have seen and
‘ examined the convention, I must think it a little
‘ premature to make any such.

‘ If I were entirely ignorant, my Lords, not
‘ only of our late negotiations, but of all our ne-
‘ gotiations and treaties for these seventeen or eigh-
‘ teen years past, I might, perhaps, put a little
‘ confidence in what our ministers and their friends
‘ have been pleased to tell us privately of this last
‘ convention; I might, perhaps, believe, that we
‘ have obtained all we can wish or desire, as has
‘ been confidently reported by some persons with-

‘ out doors; but though I am ignorant of our late
‘ negotiations, and of the terms of the treaty or
‘ convention, in which they have terminated, yet,
‘ I am not entirely ignorant of our preceding ne-
‘ gotiations and treaties, nor of the success with
‘ which they have been attended; and, the know-
‘ ledge I have of them is so far from furnishing
‘ me with any argument for blindly approving of
‘ what has been lately done, that it renders me
‘ suspicious both of the convention, and of the
‘ measures that were taken for bringing it to a
‘ conclusion. I can hardly believe that the con-
‘ duct of those who have been so long amused
‘ with negotiations, and so often bamboozled with
‘ treaties, will appear to be without a flaw in this
‘ last step, which they are pleased to represent as
‘ the master-piece of their politicks.

‘ Let us, my Lords, but take a view of the
‘ many negotiations we have carried on, and the
‘ many treaties we have concluded, within these
‘ last twenty years; and, from them, I believe, we
‘ shall find but little encouragement, to expect any
‘ great matters from what has been lately done.
‘ In the year 1721, we put an end to our war
‘ with *Spain*, by a treaty of peace, in which we
‘ acted a most generous part: We gave up to them
‘ all the advantages we had made by the war, I
‘ mean, the few ships we had taken from them;
‘ and that, without being obliged so to do, by
‘ any sort of bad success in the war: And though
‘ *Spain* had, upon the war’s breaking out, seized
‘ *British* ships and effects in her dominions, to a
‘ great value, contrary to the faith of former trea-
‘ ties, by which the subjects of both kingdoms
‘ respectively were, in case of a war, to have had
‘ six months to retire with their effects, yet we
‘ contented ourselves with stipulating only a simple
‘ restitution. These were terms extremely favour-
‘ able for *Spain*; and yet, it is well known, they
‘ never

‘ never made good the restitution they had promised, nor did they observe the former treaties, which, by that treaty, were confirmed and ratified; but continued, under various pretences, to infest our trade in the bay of *Campeachy*, and other parts of the *American* seas, as they had done for some time before; and though we had it always in our power, to enforce the performance as well as observance of treaties, yet we trusted entirely to negotiation, and negotiated at the court of *Spain* for a free enjoyment of our rights in *America*, and for full satisfaction to our *South-Sea* company and other injured merchants, for four years, without any success; for, as we had a minister there, I must suppose he had instructions to take some care of our merchants, and of our trade and navigation; and our bad success in these negotiations was the more inexcusable, because, if we had accepted of the sole mediation of all the differences then subsisting between the Emperor and *Spain*, which was offered us during that interval, we might have easily accommodated all our differences with the court of *Spain*; and might have established the affairs of *Europe* upon such a footing, as would have greatly contributed to the security of the balance of power in *Europe*, and to the interest and glory of this nation.

‘ About four years afterwards, my Lords, our ministers got by chance an account of a treaty concluded at *Vienna*, between the Emperor and *Spain*; and though a conjunction and firm friendship between these two powers, is what this nation ought to desire and cultivate as much as possible, yet I do not know by what information, or rather by what fatality, our ministers took it into their heads that this treaty was designed against us; which induced them to enter into that most extraordinary treaty or

alliance concluded at *Hanover*, in the year 1725;
and though that treaty appears to be only a de-
fensive alliance, yet we immediately took from
thence an occasion to fit out powerful squadrons,
and to send them in a hostile manner, though,
as has since appeared, with peaceful instructions,
to the coasts of *Spain*, both in *Europe* and *Ame-*
rica, before they had made the least attempt
against us, or any of our allies. As *Spain* was
still owing great sums to our *South-Sea* company
and other merchants, by virtue of the treaty
I have mentioned in 1721, and as they had
been for several years contesting some of our
most valuable rights and privileges in *America*,
one might have expected that these squadrons,
since we had fitted them out, would have been
made use of for compelling the court of *Spain*
to make full satisfaction to our merchants, and
to acknowledge our rights in *America*; but
these, it seems, our ministers thought were
trifles not worth contending for; and as they
thought, that our sending such squadrons to the
coasts of *Spain*, was no infringement of the
peace subsisting between us and that nation,
they gave no orders to these squadrons, either
to begin hostilities, or to attempt to compel the
Spaniards to do any thing, for fear of breeding
a rupture between the two nations. But *Spain*
look'd upon our sending them such unwelcome
guests in a very different light: They consider-
ed it as an open rupture, therefore they imme-
diately seized all our merchant-ships and effects,
both in *Spain* and *America*, and began hostilities
against us both by sea and land. This, one
would have thought, afforded us an excellent
opportunity for beginning hostilities in our turn,
by which, if they had been carried on in a vi-
gorous manner, we might soon have forced
Spain, then without any one ally that could
hurt

‘ hurt us, to make full atonement both for the
‘ breach of treaty she had then committed in
‘ seizing our merchants effects, and for the non-
‘ performance, as well as non-observance, of the
‘ treaty in 1721. But, though we had put our-
‘ selves to great expence in procuring the accession
‘ of several Princes and States to the treaty of
‘ *Hanover*, and in augmenting our forces both by
‘ sea and land, yet, instead of beginning to fight,
‘ we began to negotiate; and, by our dexterity
‘ in that way, some preliminary articles were, in
‘ about two years, settled and agreed on between
‘ the Emperor and the allies of *Hanover*, which
‘ begot a new negotiation, in order to obtain the
‘ accession of *Spain*; and that negotiation, in
‘ about a year more, brought forth the conven-
‘ tion between *Spain* and us, signed at the *Pardo*,
‘ in *March* 1728: This again begot a new nego-
‘ tiation, which, in about a year and a half, end-
‘ ed in the famous treaty of *Seville*, by which
‘ we not only re-united the crowns of *France* and
‘ *Spain* in a close friendship, but joined with them
‘ in a sort of alliance against the Emperor; and
‘ all this, without having ask’d the least re-
‘ imbursement for the charges, we had put our-
‘ selves to, and without obtaining any satisfaction
‘ for our merchants, or any explicit acknowledg-
‘ ment of such of our rights or privileges in *Ame-*
‘ *rica*, as had been contested by *Spain*.

‘ ’Tis true, my Lords, by this famous treaty
‘ of *Seville*, all former treaties were renewed and
‘ confirmed; by which, I remember, it was at
‘ the time of that treaty pretended, that all our
‘ rights and privileges were acknowledged; but
‘ from the example of the treaty in 1721, we
‘ might have seen, how precarious such a general
‘ acknowledgment would prove, and our expe-
‘ rience, since that time, has confirmed what we
‘ had then good reason to suspect; for since the

‘ conclusion of the treaty of *Seville*, the *Spaniards*
 ‘ have been more daring in their insults,
 ‘ and more frequent in their depredations, than
 ‘ ever they were before that time; which was,
 ‘ indeed, foreseen by almost every man in the
 ‘ kingdom, except the friends of those who negotiated that wise treaty; and I may prophesy
 ‘ that, if ever we make a new treaty, without
 ‘ having the privileges of our navigation and
 ‘ commerce expressly and particularly declared and
 ‘ acknowledged, our possession of them will become more precarious than ever it was heretofore; nay, I do not know but the *Spanish* incroachments and depredations may be multiplied
 ‘ in *America*, and at last extended to *Europe*.

‘ I shall likewise grant, my Lords, that by
 ‘ this treaty, the effects of the *South-Sea* company, and of our other merchants, which had
 ‘ been seized by the *Spaniards* in their dominions,
 ‘ when they thought fit to begin hostilities against
 ‘ us, were stipulated to be restored; and commissioners were to be appointed for examining and
 ‘ deciding all pretensions upon either side; but
 ‘ the treaty in 1721 ought, likewise in this case,
 ‘ to have been a warning to us, not to trust much
 ‘ to the performance of such stipulations; and,
 ‘ experience has since shewn, that we ought to
 ‘ have taken that treaty as a warning; for,
 ‘ though the *Spaniards* themselves admit, that
 ‘ there is about 300,000*l.* due by them to the
 ‘ *South-Sea* company, and upon a fair account, I
 ‘ have some reason to believe, the company could
 ‘ make it appear to be treble that sum; yet, the
 ‘ court of *Spain* is now, after nine years forbearance, so far from offering to pay any part of
 ‘ that sum, that, we are told, they insist upon the
 ‘ company’s paying a sum of 68,000*l.* as a debt
 ‘ which they pretend to be due from the company
 ‘ to them. Now, if this be the case of our *South-*
 ‘ *Sea*

‘ Sea company, we may easily imagine, how far
‘ short our other merchants have come of having
‘ those effects restored to them, which were so
‘ unjustly seized by the *Spaniards*, upon their be-
‘ ginning hostilities against us in the year 1726,
‘ or upon our beginning hostilities against them,
‘ in the year 1718. And as to such of our mer-
‘ chants as had been plundered by their *Guarda*
‘ *Costa’s* in *America*, before the treaty of *Seville*,
‘ few or none of them can be supposed to have met
‘ with any restitution; since the *Spaniards* took
‘ care that the commissaries should never come to
‘ any settlement or decision, with regard to any
‘ of the pretensions that were referred to them.

‘ And now, my Lords, I have mentioned
‘ commissaries, I must observe, that from that
‘ very article in the treaty of *Seville*, which regu-
‘ lates the appointing of commissaries, it appears
‘ to me, that those who drew up that article,
‘ either designed that the commissaries should
‘ never be able to decide any thing, or otherwise
‘ that our commissaries should give up a point
‘ which, indeed, seems to be given up by that
‘ article; but it is such a one as, I hope, no *Bri-*
‘ *tish* subject will ever dare to give up in express
‘ terms. In that article it is said, *That the com-*
‘ *missaries shall likewise examine and decide, ac-*
‘ *cording to the treaties, the respective pretensions,*
‘ *which relate to the abuses that are supposed to*
‘ *have been committed in commerce, as well in the*
‘ *Indies, as in Europe, and all the other respective*
‘ *pretensions in America, founded on treaties,* (after
‘ which follows this remarkable sentence) *whether*
‘ *with respect to the limits, or otherwise.* Now,
‘ my Lords, I do not remember that, ever since
‘ the year 1670, till within these five or six
‘ years, there has been the least dispute between
‘ the *Spaniards* and us about limits at land in
‘ *America*; and if there was then no dispute be-

‘ tween us about limits at land, I am surprized
‘ how our negotiators came to allow such a word
‘ to be foisted into any treaty; because the *Spaniards*
‘ may from thence pretend, that we have
‘ acknowledged the being of such a thing at sea,
‘ which I hope no *British* subject will ever admit
‘ of; and yet, if there was at that time no dispute
‘ between us about limits at land, I do not
‘ know how we could get over this acknowledgment,
‘ any other way than by saying, that this
‘ sentence was foisted into this treaty by the art-
‘ fulness of the negotiators for *Spain*, and the ig-
‘ norance or carelessness of those that were em-
‘ ployed on the part of *England*.

‘ Thus, my Lords, I have gone through several
‘ of those negotiations and treaties, we have
‘ lately been engaged in, or concluded; and from
‘ the few remarks I have cursorily made, I believe
‘ it will appear, that we have no great reason to
‘ approve blindly of any treaty that has been, or
‘ can be made by those who had the chief concern
‘ in negotiating or concluding any of the
‘ treaties I have mentioned. By the treaty in
‘ 1721, we made some concessions, which, I
‘ think, we ought not to have made, and trusted
‘ to promises which ought to have been stipulated
‘ by preliminaries, and which we ought to have
‘ seen performed before we concluded a definitive
‘ treaty; but as we had then little or no experience
‘ of the conduct of the court of *Spain*, the confidence
‘ we put in their promises was a little excusable;
‘ and our concessions might likewise have been
‘ excused, if we could have thereby restored a perfect
‘ harmony between *Spain* and the Emperor, as well
‘ as between *Spain* and ourselves. But I cannot say
‘ so much for our future conduct: During the congress
‘ at *Cambray*, we let slip, in my opinion, an excellent
‘ opportunity for restoring the antient amity between
‘ the

‘ the Empire and *Spain*, and for re-kindling that
‘ animosity and jealousy, which so long subsisted
‘ between *Spain* and *France*. By our treaty of
‘ *Hanover*, and the measures we took in conse-
‘ quence of that treaty, we in a manner declared
‘ war, as I still think, without the least cause,
‘ against the two powers of *Europe*, whose friend-
‘ ship we ought most to cultivate; and by the
‘ treaty of *Seville*, without obtaining the least ad-
‘ vantage for this nation, we restored a close
‘ friendship between *France* and *Spain*, and there-
‘ by laid the foundation of that war, which they
‘ afterwards, jointly with *Sardinia*, carried on
‘ against the Emperor.

‘ I shall say nothing, my Lords, of our beha-
‘ viour during that war, or of the obligations we
‘ lay under by the treaty we concluded at *Vienna*
‘ in the year 1731; but this I will say, that as
‘ we had, by our former measures, united *France*
‘ and *Spain*, while that union subsisted, it was,
‘ in some measure, necessary for us to keep up a
‘ close alliance and friendship with the court of
‘ *Vienna*; and if by our inactivity in that war,
‘ for I shall never call making treaties, or aug-
‘ menting our forces by sea and land, activity,
‘ I say, if by our inactivity in that war, we lost
‘ the friendship and confidence of our antient ally
‘ the Emperor, we thereby gave the *French* and
‘ the *Spaniards* an opportunity of triumphing first
‘ over him, that they might afterwards have an
‘ opportunity of triumphing over us in our turn;
‘ so that if *France* and *Spain* are now united
‘ against this nation, and we destitute of every
‘ ally, or of such an alliance as may make the
‘ balance equal, which I hope is not the case, it
‘ may be alledged, that our unlucky situation is
‘ chiefly owing to our late treaties and negotiations.

‘ If this be our case, can we from hence sup-
‘ pose, my Lords, that an implicit faith ought to
‘ be

‘ be placed in the conduct of those, who have
‘ treated and negotiated us into such circum-
‘ stances? If we can neither with honour con-
‘ tinue in peace, nor with any prospect of success
‘ engage in a war, can we suppose that any treaty
‘ we make, can be an honourable or an advan-
‘ tageous treaty? I hope, my Lords, we are not
‘ as yet reduced to such a dilemma; but if we
‘ are not, I am convinced it is more owing to the
‘ good opinion some of our neighbours have of
‘ our natural strength, than to the wisdom of our
‘ own conduct; and therefore, I cannot agree to
‘ pass any compliments upon our late conduct,
‘ or upon the convention now concluded with
‘ *Spain*, till I am fully convinced, by perusal and
‘ enquiry, that it is an honourable, safe, and ad-
‘ vantageous treaty. And even suppose it were
‘ so, suppose, my Lords, that from some private
‘ information, I knew it to be so, yet I should be
‘ against our making use of any expressions in our
‘ address, that might look like an approbation of
‘ it, not only because of the bad precedent, but
‘ because it has the misfortune to labour under
‘ a very bad character without doors. We have
‘ had some pretended articles of it published in
‘ our news papers: I hope they are far from be-
‘ ing truly the articles; but whether true or false,
‘ the world has from thence conceived a most de-
‘ spicable opinion of the treaty; and therefore,
‘ though from some private information, I were
‘ convinced that there was no ground for such an
‘ opinion, yet I should be against approving it,
‘ till the world could have an opportunity of be-
‘ ing undeceived, by its being printed and pub-
‘ lished at full length; for I shall never be for our
‘ doing any thing that may hurt the character of
‘ this house, in the opinion of the generality of
‘ the people without doors. At present, most
‘ people think that the payment stipulated by
‘ this

‘ this convention, is not near sufficient for making
‘ good the losses of our merchants ; and that
‘ even the small sum that is stipulated, is stipu-
‘ lated in such a way, that it must be all paid by
‘ ourselves : We must pay, they say, with one
‘ hand, and receive with the other ; and this,
‘ they say, is all that is stipulated ; for every
‘ thing else, they say, is referred to plenipoten-
‘ tiaries, whose negotiations, every one supposes,
‘ will end in nothing, as those of our commissa-
‘ ries formerly did. From hence, most men take
‘ the liberty to say, that this convention, this
‘ treaty of peace, which has cost the nation so
‘ much money, is nothing but a scrap of paper,
‘ a paper peace, that will be of no signification,
‘ nor put any stop to those hostilities, which
‘ *Spain* has been carrying on against us for so
‘ many years.

‘ This, my Lords, is at present the general
‘ opinion among the people, of the convention
‘ lately concluded ; and therefore, out of regard
‘ to the dignity of this house, and to the charac-
‘ ter we ought carefully to preserve among those
‘ without doors, we ought to say nothing in
‘ praise of the convention, or of the conduct of
‘ those who have brought it about, till the peo-
‘ ple can be undeceived by a perusal. For this
‘ reason, I shall beg leave to propose, by way of
‘ amendment, to take only the first and last para-
‘ graphs of the address moved for by the noble
‘ Duke, and to leave out the four intermediate
‘ paragraphs.

‘ Even the last paragraph, my Lords, I cannot
‘ say I entirely approve of ; because I think that
‘ paragraph in his Majesty’s speech to which it re-
‘ lates, might have been as well left out. When
‘ I say so, my Lords, I consider the speech, as
‘ such speeches are always considered in this house.
‘ I consider it as the speech of the minister ; and

‘ I

‘ I do not think it right in any minister to recom-
‘ mend to this house, or to either house of Parlia-
‘ ment, not to suffer any prejudices or animosities
‘ to have a share in their deliberations ; because it
‘ may be thought without doors, to bear an ugly
‘ insinuation. Some people may from thence con-
‘ clude, that there is some danger of our allowing
‘ prejudices or animosities to have a share in our
‘ deliberations ; which is a conclusion, that no
‘ person without doors ought to be by any means
‘ induced or encouraged to make. It is, indeed,
‘ a conclusion that a wicked minister may be fond
‘ of having made ; because he will always endea-
‘ vour to make people believe, that the opposition
‘ that is, or may be made to any of his measures,
‘ can proceed from nothing but prejudices or ani-
‘ mosities ; but this is an opinion that is, I am
‘ sure, as much against the true interest of the
‘ King to encourage, as it is injurious to either
‘ house of Parliament to entertain. For this rea-
‘ son, I do not know but there has been a time
‘ when the answer to such a paragraph in the
‘ speech, would have been an address from both
‘ houses of Parliament, to know who advised it.
‘ However, I shall at present take no further
‘ notice of it, nor oppose making such an answer
‘ to it as has been moved for.’

The End of the SIXTEENTH VOLUME.

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9/2007





A Collection Of The Parliamentary Debates In England From The Year M,DC,
LXVIII. To the present Time

Bd.: 16

London (1741)

Brit. 136-16

urn:nbn:de:bvb:12-bsb10279166-5